

1 A bill to be entitled
2 An act relating to education accountability; amending
3 s. 1001.42, F.S.; revising a requirement for the
4 uniform opening date of public schools; amending s.
5 1002.20, F.S.; deleting provisions relating to
6 assessment, intensive instruction, and progress
7 monitoring for students with reading deficiencies;
8 amending ss. 1003.4156 and 1003.4282, F.S.; deleting
9 provisions relating to remediation for certain middle
10 grades and high school students, respectively;
11 amending s. 1003.4285, F.S.; revising requirements for
12 the scholar designation on standard high school
13 diplomas; amending s. 1003.621, F.S.; requiring that
14 academically high-performing school districts comply
15 with provisions relating to the uniform opening date
16 of public schools; amending s. 1008.22, F.S.; revising
17 the purpose of the student assessment program to
18 include providing instructional personnel with certain
19 information when available; revising the grade levels
20 of students who must take the statewide, standardized
21 English Language Arts assessment; revising provisions
22 relating to end-of-course assessments; requiring that
23 all students enrolled in certain courses take the
24 statewide, standardized end-of-course assessment
25 associated with the course; prohibiting students who
26 take an end-of-course assessment for a course from

27 taking other specified assessments; providing for use
28 of certain assessment results for students; revising
29 provisions relating to local assessments administered
30 by school districts; requiring that certain
31 information relating to student achievement be
32 provided to instructional personnel when available;
33 requiring that all end-of-course assessment results be
34 reported annually by a specified date; providing an
35 exemption for the 2014-2015 school year; requiring the
36 Commissioner of Education to annually publish a
37 uniform calendar for assessment and reporting on the
38 Department of Education's website; requiring each
39 school district to establish assessment schedules,
40 approve such schedules at a district school board
41 meeting, and publish such schedules on the district's
42 website; requiring each public school to publish such
43 schedules on the school's website; providing that
44 certain assessments replace final assessments in
45 certain courses; requiring teachers and parents to be
46 provided with results of district-required local
47 assessments in a timely manner; requiring rulemaking
48 relating to the uniform calendar; amending s. 1008.24,
49 F.S.; providing that school districts may use
50 specified employees to administer and proctor certain
51 assessments; amending s. 1008.25, F.S.; deleting
52 requirements for the comprehensive student progression

53 | plan; requiring each district school board to adopt
54 | criteria for student grade-level progression; revising
55 | provisions relating to support for certain students
56 | and student promotion from grade 3 to grade 4;
57 | requiring that certain information relating to student
58 | achievement be provided to instructional personnel
59 | when available; providing for intensive instruction
60 | for certain students; revising reporting requirements;
61 | amending s. 1008.30, F.S.; deleting a requirement for
62 | certain students to be evaluated for college
63 | readiness; amending s. 1008.36, F.S.; providing
64 | additional funds to certain schools through the
65 | Florida School Recognition Program under certain
66 | conditions; amending s. 1011.62, F.S.; deleting
67 | requirements that specified funds be used for certain
68 | intensive reading instruction; revising requirements
69 | for the funding of a comprehensive reading instruction
70 | system, to include certain components for students in
71 | intensive reading acceleration courses; requiring the
72 | department to regularly report certain findings to the
73 | State Board of Education; requiring the state board to
74 | annually review the effectiveness of each school
75 | district's K-12 comprehensive reading plan; amending
76 | s. 1012.34, F.S.; revising reporting requirements
77 | relating to school district personnel evaluation
78 | systems; revising evaluation criteria and

79 requirements; revising provisions relating to the
80 measurement of student performance; deleting
81 provisions relating to district bonus rewards for
82 performance pay based on evaluation progress;
83 repealing s. 1012.3401, F.S., relating to requirements
84 for measuring student performance in instructional
85 personnel and school administrator performance
86 evaluations and performance evaluation of personnel
87 for purposes of performance salary schedule; amending
88 s. 1012.98, F.S.; revising provisions relating to
89 personnel evaluation for purposes of professional
90 development; providing effective dates.

91
92 Be It Enacted by the Legislature of the State of Florida:

93
94 Section 1. Paragraph (f) of subsection (4) of section
95 1001.42, Florida Statutes, is amended to read:

96 1001.42 Powers and duties of district school board.—The
97 district school board, acting as a board, shall exercise all
98 powers and perform all duties listed below:

99 (4) ESTABLISHMENT, ORGANIZATION, AND OPERATION OF
100 SCHOOLS.—Adopt and provide for the execution of plans for the
101 establishment, organization, and operation of the schools of the
102 district, including, but not limited to, the following:

103 (f) Opening and closing of schools; fixing uniform date.—
104 Adopt policies for the opening and closing of schools and fix

105 uniform dates; however, ~~beginning with the 2007-2008 school~~
106 ~~year,~~ the opening date for schools in the district may not be
107 earlier than August 10 ~~14 days before Labor Day~~ each year.

108 Section 2. Subsection (11) of section 1002.20, Florida
109 Statutes, is amended to read:

110 1002.20 K-12 student and parent rights.—Parents of public
111 school students must receive accurate and timely information
112 regarding their child's academic progress and must be informed
113 of ways they can help their child to succeed in school. K-12
114 students and their parents are afforded numerous statutory
115 rights including, but not limited to, the following:

116 ~~(11) STUDENTS WITH READING DEFICIENCIES.—Each elementary~~
117 ~~school shall regularly assess the reading ability of each K-3~~
118 ~~student. The parent of any K-3 student who exhibits a reading~~
119 ~~deficiency shall be immediately notified of the student's~~
120 ~~deficiency with a description and explanation, in terms~~
121 ~~understandable to the parent, of the exact nature of the~~
122 ~~student's difficulty in learning and lack of achievement in~~
123 ~~reading; shall be consulted in the development of a progress~~
124 ~~monitoring plan, as described in s. 1008.25(4)(b); and shall be~~
125 ~~informed that the student will be given intensive reading~~
126 ~~instruction until the deficiency is corrected. This subsection~~
127 ~~operates in addition to the remediation and notification~~
128 ~~provisions contained in s. 1008.25 and in no way reduces the~~
129 ~~rights of a parent or the responsibilities of a school district~~
130 ~~under that section.~~

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

133 1003.4156 General requirements for middle grades
134 promotion.—

135 ~~(2) If a middle grades student scores Level 1 or Level 2~~
136 ~~on the statewide, standardized Reading assessment or, when~~
137 ~~implemented, the English Language Arts (ELA) assessment, the~~
138 ~~following year the student must enroll in and complete a~~
139 ~~remedial course or a content area course in which remediation~~
140 ~~strategies are incorporated into course content delivery. The~~
141 ~~department shall provide guidance on appropriate strategies for~~
142 ~~diagnosing and meeting the varying instructional needs of~~
143 ~~students performing below grade level.~~

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

148 Section 4. Subsection (5) of section 1003.4282, Florida
149 Statutes, is amended to read:

150 1003.4282 Requirements for a standard high school
151 diploma.—

152 ~~(5) REMEDIATION FOR HIGH SCHOOL STUDENTS.—~~

153 ~~(a) Each year a student scores Level 1 or Level 2 on the~~
154 ~~statewide, standardized grade 9 or grade 10 Reading assessment~~
155 ~~or, when implemented, the grade 9, grade 10, or grade 11 ELA~~
156 ~~assessment, the student must be enrolled in and complete an~~

157 ~~intensive remedial course the following year or be placed in a~~
158 ~~content area course that includes remediation of skills not~~
159 ~~acquired by the student.~~

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

165 Section 5. Paragraph (a) of subsection (1) of section
166 1003.4285, Florida Statutes, is amended to read:

167 1003.4285 Standard high school diploma designations.—

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

171 (a) Scholar designation.—In addition to the requirements
172 of s. 1003.4282, in order to earn the Scholar designation, a
173 student must satisfy the following requirements:

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

177 1.2. Mathematics.—Earn one credit in Algebra II and one
178 credit in statistics or an equally rigorous course. Beginning
179 with students entering grade 9 in the 2014-2015 school year,
180 pass the Algebra II and Geometry statewide, standardized
181 assessments.

182 2.3. Science.—Pass the statewide, standardized Biology I

183 EOC assessment and earn one credit in chemistry or physics and
184 one credit in a course equally rigorous to chemistry or physics.
185 However, a student enrolled in an Advanced Placement (AP),
186 International Baccalaureate (IB), or Advanced International
187 Certificate of Education (AICE) Biology course who takes the
188 respective AP, IB, or AICE Biology assessment and earns the
189 minimum score necessary to earn college credit as identified
190 pursuant to s. 1007.27(2) meets the requirement of this
191 subparagraph without having to take the statewide, standardized
192 Biology I EOC assessment.

193 3.4 Social studies.—Pass the statewide, standardized
194 United States History EOC assessment. However, a student
195 enrolled in an AP, IB, or AICE course that includes United
196 States History topics who takes the respective AP, IB, or AICE
197 assessment and earns the minimum score necessary to earn college
198 credit as identified pursuant to s. 1007.27(2) meets the
199 requirement of this subparagraph without having to take the
200 statewide, standardized United States History EOC assessment.

201 4.5 Foreign language.—Earn two credits in the same
202 foreign language.

203 5.6 Electives.—Earn at least one credit in an Advanced
204 Placement, an International Baccalaureate, an Advanced
205 International Certificate of Education, or a dual enrollment
206 course.

207 Section 6. Paragraph (k) of subsection (2) of section
208 1003.621, Florida Statutes, is redesignated as paragraph (1),

209 and a new paragraph (k) is added to that subsection to read:

210 1003.621 Academically high-performing school districts.—It
 211 is the intent of the Legislature to recognize and reward school
 212 districts that demonstrate the ability to consistently maintain
 213 or improve their high-performing status. The purpose of this
 214 section is to provide high-performing school districts with
 215 flexibility in meeting the specific requirements in statute and
 216 rules of the State Board of Education.

217 (2) COMPLIANCE WITH STATUTES AND RULES.—Each academically
 218 high-performing school district shall comply with all of the
 219 provisions in chapters 1000-1013, and rules of the State Board
 220 of Education which implement these provisions, pertaining to the
 221 following:

222 (k) Section 1001.42(4)(f), relating to the uniform opening
 223 date of public schools.

224 Section 7. Subsections (3), (4), and (6) of section
 225 1008.22, Florida Statutes, are amended, subsections (7) through
 226 (11) are renumbered as subsections (8) through (12),
 227 respectively, paragraph (f) is added to subsection (1), and a
 228 new subsection (7) is added to that section, to read:

229 1008.22 Student assessment program for public schools.—

230 (1) PURPOSE.—The primary purpose of the student assessment
 231 program is to provide student academic achievement and learning
 232 gains data to students, parents, teachers, school
 233 administrators, and school district staff. This data is to be
 234 used by districts to improve instruction; by students, parents,

235 and teachers to guide learning objectives; by education
236 researchers to assess national and international education
237 comparison data; and by the public to assess the cost benefit of
238 the expenditure of taxpayer dollars. The program must be
239 designed to:

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

243 (3) STATEWIDE, STANDARDIZED ASSESSMENT PROGRAM.—The
244 Commissioner of Education shall design and implement a
245 statewide, standardized assessment program aligned to the core
246 curricular content established in the Next Generation Sunshine
247 State Standards. The commissioner also must develop or select
248 and implement a common battery of assessment tools that will be
249 used in all juvenile justice education programs in the state.
250 These tools must accurately measure the core curricular content
251 established in the Next Generation Sunshine State Standards.
252 Participation in the assessment program is mandatory for all
253 school districts and all students attending public schools,
254 including adult students seeking a standard high school diploma
255 under s. 1003.4282 and students in Department of Juvenile
256 Justice education programs, except as otherwise provided by law.
257 If a student does not participate in the assessment program, the
258 school district must notify the student's parent and provide the
259 parent with information regarding the implications of such
260 nonparticipation. The statewide, standardized assessment program

261 shall be designed and implemented as follows:

262 (a) Statewide, standardized comprehensive assessments.—The
263 statewide, standardized Reading assessment shall be administered
264 annually in grades 3 through 10. The statewide, standardized
265 Writing assessment shall be administered annually at least once
266 at the elementary, middle, and high school levels. When the
267 Reading and Writing assessments are replaced by English Language
268 Arts (ELA) assessments, ELA assessments shall be administered to
269 students in grades 3 through 10 ~~11~~. Retake opportunities for the
270 grade 10 Reading assessment or, upon implementation, the grade
271 10 ELA assessment must be provided. Students taking the ELA
272 assessments shall not take the statewide, standardized
273 assessments in Reading or Writing. ELA assessments shall be
274 administered online. The statewide, standardized Mathematics
275 assessments shall be administered annually in grades 3 through
276 8. Students taking a revised Mathematics assessment shall not
277 take the discontinued assessment. The statewide, standardized
278 Science assessment shall be administered annually at least once
279 at the elementary and middle grades levels. In order to earn a
280 standard high school diploma, a student who has not earned a
281 passing score on the grade 10 Reading assessment or, upon
282 implementation, the grade 10 ELA assessment must earn a passing
283 score on the assessment retake or earn a concordant score as
284 authorized under subsection (8) ~~(7)~~.

285 (b) End-of-course (EOC) assessments.—EOC assessments must
286 be statewide, standardized, and developed or approved by the

287 Department of Education as follows:

288 1. EOC assessments for Algebra I, Geometry, Algebra II,
289 Biology I, United States History, and Civics shall be
290 administered to students enrolled in such courses as specified
291 in the course code directory ~~Statewide, standardized EOC~~
292 ~~assessments in mathematics shall be administered according to~~
293 ~~this subparagraph. Beginning with the 2010-2011 school year, all~~
294 ~~students enrolled in Algebra I must take the Algebra I EOC~~
295 ~~assessment. Except as otherwise provided in paragraph (c),~~
296 ~~beginning with students entering grade 9 in the 2011-2012 school~~
297 ~~year, a student who is enrolled in Algebra I must earn a passing~~
298 ~~score on the Algebra I EOC assessment or attain a comparative~~
299 ~~score as authorized under subsection (8) in order to earn a~~
300 ~~standard high school diploma. In order to earn a standard high~~
301 ~~school diploma, a student who has not earned a passing score on~~
302 ~~the Algebra I EOC assessment must earn a passing score on the~~
303 ~~assessment retake or a comparative score as authorized under~~
304 ~~subsection (8). Beginning with the 2011-2012 school year, all~~
305 ~~students enrolled in Geometry must take the Geometry EOC~~
306 ~~assessment. Middle grades students enrolled in Algebra I,~~
307 ~~Geometry, or Biology I must take the statewide, standardized EOC~~
308 ~~assessment for those courses and shall not take the~~
309 ~~corresponding subject and grade-level statewide, standardized~~
310 ~~assessment. When a statewide, standardized EOC assessment in~~
311 ~~Algebra II is administered, all students enrolled in Algebra II~~
312 ~~must take the EOC assessment. Pursuant to the commissioner's~~

313 ~~implementation schedule, student performance on the Algebra II~~
314 ~~EOC assessment constitutes 30 percent of a student's final~~
315 ~~course grade.~~

316 ~~2. Statewide, standardized EOC assessments in science~~
317 ~~shall be administered according to this subparagraph. Beginning~~
318 ~~with the 2011-2012 school year, all students enrolled in Biology~~
319 ~~I must take the Biology I EOC assessment. Beginning with~~
320 ~~students entering grade 9 in the 2013-2014 school year,~~
321 ~~performance on the Biology I EOC assessment constitutes 30~~
322 ~~percent of the student's final course grade.~~

323 ~~2.3. Students enrolled in a course, as specified in the~~
324 ~~course code directory, with an associated statewide,~~
325 ~~standardized EOC assessment must take the EOC assessment for~~
326 ~~such course and may not take the corresponding subject or grade-~~
327 ~~level statewide, standardized assessment pursuant to paragraph~~
328 ~~(a). Sections 1003.4156 and 1003.4282 govern the use of~~
329 ~~statewide, standardized EOC assessment results for students~~
330 ~~Beginning with the 2013-2014 school year, each student's~~
331 ~~performance on the statewide, standardized middle grades Civics~~
332 ~~EOC assessment constitutes 30 percent of the student's final~~
333 ~~course grade in civics education.~~

334 ~~3.4. The commissioner may select one or more nationally~~
335 ~~developed comprehensive examinations, which may include~~
336 ~~examinations for a College Board Advanced Placement course,~~
337 ~~International Baccalaureate course, or Advanced International~~
338 ~~Certificate of Education course, or industry-approved~~

339 examinations to earn national industry certifications identified
340 in the Industry Certification Funding List, for use as EOC
341 assessments under this paragraph if the commissioner determines
342 that the content knowledge and skills assessed by the
343 examinations meet or exceed the grade-level expectations for the
344 core curricular content established for the course in the Next
345 Generation Sunshine State Standards. Use of any such examination
346 as an EOC assessment must be approved by the state board in
347 rule.

348 ~~4.5.~~ Contingent upon funding provided in the General
349 Appropriations Act, including the appropriation of funds
350 received through federal grants, the commissioner may establish
351 an implementation schedule for the development and
352 administration of additional statewide, standardized EOC
353 assessments that must be approved by the state board in rule. If
354 approved by the state board, student performance on such
355 assessments constitutes 30 percent of a student's final course
356 grade.

357 ~~5.6.~~ All statewide, standardized EOC assessments must be
358 administered online except as otherwise provided in paragraph
359 (c).

360 (c) Students with disabilities; Florida Alternate
361 Assessment.—

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

365 and high school graduation.

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

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

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

390 b. If a student is provided with instructional

391 accommodations in the classroom that are not allowed as
392 accommodations for statewide, standardized assessments, the
393 district must inform the parent in writing and provide the
394 parent with information regarding the impact on the student's
395 ability to meet expected performance levels. A parent must
396 provide signed consent for a student to receive classroom
397 instructional accommodations that would not be available or
398 permitted on a statewide, standardized assessment and
399 acknowledge in writing that he or she understands the
400 implications of such instructional accommodations.

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

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

410 (d) Implementation schedule.—

411 1. The Commissioner of Education shall establish and
412 publish on the department's website an implementation schedule
413 to transition from the statewide, standardized Reading and
414 Writing assessments to the ELA assessments and to the revised
415 Mathematics assessments, including the Algebra I and Geometry
416 EOC assessments. The schedule must take into consideration

417 funding, sufficient field and baseline data, access to
418 assessments, instructional alignment, and school district
419 readiness to administer the assessments online.

420 2. The Department of Education shall publish minimum and
421 recommended technology requirements that include specifications
422 for hardware, software, networking, security, and broadband
423 capacity to facilitate school district compliance with the
424 requirement that assessments be administered online.

425 (e) Assessment scores and achievement levels.—

426 1. All statewide, standardized EOC assessments and ELA,
427 Mathematics ~~Reading, Writing,~~ and Science assessments shall use
428 scaled scores and achievement levels. Achievement levels shall
429 range from 1 through 5, with level 1 being the lowest
430 achievement level, level 5 being the highest achievement level,
431 and level 3 indicating satisfactory performance on an
432 assessment. ~~For purposes of the statewide, standardized Writing~~
433 ~~assessment, student achievement shall be scored using a scale of~~
434 ~~1 through 6.~~

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

437 3. If the commissioner seeks to revise a statewide,
438 standardized assessment and the revisions require the state
439 board to modify performance level scores, including the passing
440 score, the commissioner shall provide a copy of the proposed
441 scores and implementation plan to the President of the Senate
442 and the Speaker of the House of Representatives at least 90 days

443 before submission to the state board for review. Until the state
444 board adopts the modifications by rule, the commissioner shall
445 use calculations for scoring the assessment that adjust student
446 scores on the revised assessment for statistical equivalence to
447 student scores on the former assessment. The state board shall
448 adopt by rule the passing score for the revised assessment that
449 is statistically equivalent to the passing score on the
450 discontinued assessment for a student who is required to attain
451 a passing score on the discontinued assessment. The commissioner
452 may, with approval of the state board, discontinue
453 administration of the former assessment upon the graduation,
454 based on normal student progression, of students participating
455 in the final regular administration of the former assessment. If
456 the commissioner revises a statewide, standardized assessment
457 and the revisions require the state board to modify the passing
458 score, only students taking the assessment for the first time
459 after the rule is adopted are affected.

460 ~~(f) Assessment schedules and reporting of results. The~~
461 ~~Commissioner of Education shall establish schedules for the~~
462 ~~administration of assessments and the reporting of student~~
463 ~~assessment results. The commissioner shall consider the~~
464 ~~observance of religious and school holidays when developing the~~
465 ~~schedule. By August 1 of each year, the commissioner shall~~
466 ~~notify each school district in writing and publish on the~~
467 ~~department's website the assessment and reporting schedules for,~~
468 ~~at a minimum, the school year following the upcoming school~~

469 ~~year. The assessment and reporting schedules must provide the~~
470 ~~earliest possible reporting of student assessment results to the~~
471 ~~school districts. Assessment results for the statewide,~~
472 ~~standardized Reading assessments, or upon implementation the ELA~~
473 ~~assessments, and Mathematics assessments, including the EOC~~
474 ~~assessments in Algebra I and Geometry, must be made available no~~
475 ~~later than the week of June 8. The administration of the~~
476 ~~statewide, standardized Writing assessment and the Florida~~
477 ~~Alternate Assessment may be no earlier than the week of March 1.~~
478 ~~School districts shall administer assessments in accordance with~~
479 ~~the schedule established by the commissioner.~~

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

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

489 2. Providing individualized instruction in assessment-
490 taking strategies, without suspending the school's regular
491 program of curricula, for a student who scores Level 1 or Level
492 2 on a prior administration of an assessment.

493 3. Providing individualized instruction in the content
494 knowledge and skills assessed, without suspending the school's

495 regular program of curricula, for a student who scores Level 1
496 or Level 2 on a prior administration of an assessment or a
497 student who, through a diagnostic assessment administered by the
498 school district, is identified as having a deficiency in the
499 content knowledge and skills assessed.

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

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

520 (4) SCHOOL PARTICIPATION IN THE STATEWIDE, STANDARDIZED

521 ASSESSMENT PROGRAM ~~PROGRAMS~~.—Each public school shall
 522 participate in the statewide, standardized assessment program in
 523 accordance with the assessment and reporting schedules and the
 524 minimum and recommended technology requirements published by the
 525 Commissioner of Education. District school boards shall not
 526 establish school calendars that conflict with or jeopardize
 527 implementation of the assessment program. All district school
 528 boards shall report assessment results using ~~as required by~~ the
 529 state management information system. Performance data shall be
 530 analyzed and reported to parents, the community, and the state.
 531 Student performance data shall be used by districts in
 532 developing objectives for the school improvement plan,
 533 evaluating instructional personnel and administrative personnel,
 534 assigning staff, allocating resources, acquiring instructional
 535 materials and technology, implementing performance-based
 536 budgeting, and promoting and assigning students to educational
 537 programs. The analysis of student performance data must also
 538 identify strengths and needs in the educational program and
 539 trends over time. The analysis must be used in conjunction with
 540 the budgetary planning processes developed pursuant to s.
 541 1008.385 and the development of remediation programs.

542 (6) LOCAL ASSESSMENT OF STUDENT PERFORMANCE ON STATE
 543 STANDARDS ~~ASSESSMENTS~~.—

544 (a) Measurement of student performance is the
 545 responsibility of school districts ~~in all subjects and grade~~
 546 ~~levels,~~ except in those subjects and grade levels measured under

547 the statewide, standardized assessment program described in this
548 section, ~~is the responsibility of the school districts.~~ When
549 available, instructional personnel must be provided with
550 information on student achievement of standards and benchmarks
551 in order to improve instruction.

552 ~~(b) Except for those subjects and grade levels measured~~
553 ~~under the statewide, standardized assessment program, beginning~~
554 ~~with the 2014-2015 school year, each school district shall~~
555 ~~administer for each course offered in the district a local~~
556 ~~assessment that measures student mastery of course content at~~
557 ~~the necessary level of rigor for the course. As adopted pursuant~~
558 ~~to State Board of Education rule, course content is set forth in~~
559 ~~the state standards required by s. 1003.41 and in the course~~
560 ~~description. Local assessments may include:~~

- 561 ~~1. Statewide assessments.~~
- 562 ~~2. Other standardized assessments, including nationally~~
563 ~~recognized standardized assessments.~~
- 564 ~~3. Industry certification assessments.~~
- 565 ~~4. District-developed or district-selected end-of-course~~
566 ~~assessments.~~
- 567 ~~5. Teacher-selected or principal-selected assessments.~~

568 ~~(c) Each district school board must adopt policies for~~
569 ~~selection, development, administration, and scoring of local~~
570 ~~assessments and for collection of assessment results. Local~~
571 ~~assessments implemented under subparagraphs (b) 4. and 5. may~~
572 ~~include a variety of assessment formats, including, but not~~

573 ~~limited to, project-based assessments, adjudicated performances,~~
574 ~~and practical application assignments. For all English Language~~
575 ~~Arts, mathematics, science, and social studies courses offered~~
576 ~~in the district that are used to meet graduation requirements~~
577 ~~under s. 1002.3105, s. 1003.4281, or s. 1003.4282 and that are~~
578 ~~not otherwise assessed by statewide, standardized assessments,~~
579 ~~the district school board must select the assessments described~~
580 ~~in subparagraphs (b)1.-4.~~

581 (b)(d) The Commissioner of Education shall identify
582 methods to assist and support districts in measuring student
583 performance on the state standards by maintaining a statewide
584 ~~the development and acquisition of assessments required under~~
585 ~~this subsection. Methods may include developing item bank banks,~~
586 ~~facilitating the sharing of developed tests or test items among~~
587 ~~school districts, acquiring assessments from state and national~~
588 ~~curriculum area organizations, and providing technical~~
589 ~~assistance in best assessment professional practices. The~~
590 commissioner may discontinue the item bank if he or she
591 determines that district participation is insufficient for its
592 sustainability of test development based upon state-adopted
593 ~~curriculum standards, administration, and security.~~

594 ~~(c) Each school district shall establish schedules for the~~
595 ~~administration of any district-mandated assessment and approve~~
596 ~~the schedules as an agenda item at a district school board~~
597 ~~meeting. The school district shall publish the testing schedules~~
598 ~~on its website, clearly specifying the district-mandated~~

599 ~~assessments, and report the schedules to the Department of~~
600 ~~Education by October 1 of each year.~~

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

602 (a) The Commissioner of Education shall establish
603 schedules for the administration of statewide, standardized
604 assessments and the reporting of student assessment results. The
605 commissioner shall consider the observance of religious and
606 school holidays when developing the schedules. The assessment
607 and reporting schedules must provide the earliest possible
608 reporting of student assessment results to the school districts.
609 Assessment results for the statewide, standardized ELA and
610 Mathematics assessments and all statewide, standardized EOC
611 assessments must be made available no later than the week of
612 June 8, except for results of assessments administered in the
613 2014-2015 school year. School districts shall administer
614 statewide, standardized assessments in accordance with the
615 schedule established by the commissioner.

616 (b) By August of each year, beginning in 2016, the
617 commissioner shall publish on the department's website a uniform
618 calendar that includes the assessment and reporting schedules
619 for, at a minimum, the next 2 school years. The uniform calendar
620 must be provided to school districts in an electronic format
621 that allows each school district and public school to populate
622 the calendar with, at minimum, the following information for
623 reporting the district assessment schedules under paragraph (c):

624 1. Whether the assessment is a district-required

625 assessment or a state-required assessment.

626 2. The specific date or dates that each assessment will be
627 administered.

628 3. The time allotted to administer each assessment.

629 4. Whether the assessment is a computer-based assessment
630 or a paper-based assessment.

631 5. The grade level or subject area associated with the
632 assessment.

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

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

637 8. A glossary of assessment terminology.

638 (c) Each school district shall establish schedules for the
639 administration of any statewide, standardized assessments and
640 district-required assessments and approve the schedules as an
641 agenda item at a district school board meeting. Each school
642 district shall publish the testing schedules on its website
643 using the uniform calendar, including all information required
644 under paragraph (b), and submit the schedules to the Department
645 of Education by October 1 of each year. Each public school shall
646 publish schedules for statewide, standardized assessments and
647 district-required assessments on its website using the uniform
648 calendar, including all information required under paragraph
649 (b). The uniform calendar must be included in the parent guide
650 required by s. 1002.23(5).

651 (d) A statewide, standardized EOC assessment must be used
652 as the final cumulative examination for its associated course.
653 No additional final assessment may be administered in a course
654 with a statewide, standardized EOC assessment. A district-
655 required local assessment may be used as the final cumulative
656 examination for its associated course in accordance with the
657 school district's policy.

658 (e) A subject-area or grade-level teacher whose student
659 takes a district-required local assessment must be provided the
660 student's results in a timely manner to inform instruction.
661 Thereafter, assessment results must be provided to the student's
662 parent in a timely manner.

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

668 Section 8. Subsection (3) of section 1008.24, Florida
669 Statutes, is amended to read:

670 1008.24 Test administration and security; public records
671 exemption.—

672 (3) (a) A school district may contract with qualified
673 contractors to administer and proctor statewide, standardized
674 assessments required under s. 1008.22 or assessments associated
675 with Florida-approved ~~Florida approved~~ courses under s.
676 1003.499, as approved by the Department of Education in

677 accordance with rules of the State Board of Education.
678 Assessments may be administered or proctored by qualified
679 contractors at sites that meet criteria established by rules of
680 the State Board of Education and adopted pursuant to ss.
681 120.536(1) and 120.54 to implement the contracting requirements
682 of this subsection.

683 (b) A school district may use district employees, such as
684 education paraprofessionals as described in s. 1012.37, to
685 administer and proctor statewide, standardized assessments
686 required under s. 1008.22 or assessments associated with
687 Florida-approved courses under s. 1003.499, in accordance with
688 this section and related rules adopted by the State Board of
689 Education.

690 Section 9. Section 1008.25, Florida Statutes, is amended
691 to read:

692 1008.25 Public school student progression; student support
693 ~~remedial instruction~~; reporting requirements.-

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

703 (2) ~~COMPREHENSIVE STUDENT PROGRESSION PLAN.~~—Each district
704 school board shall adopt criteria for a student's progression
705 from one grade to another based on the student's mastery of the
706 standards in s. 1003.41, specifically English language arts,
707 mathematics, science, and social studies standards. The criteria
708 must emphasize student reading proficiency in kindergarten
709 through grade 3 in accordance with the district's K-12
710 comprehensive reading plan under s. 1011.62(9) and provide
711 targeted instructional support for students with identified
712 deficiencies in English language arts, mathematics, science, and
713 social studies. High schools shall use all available assessment
714 results, including the results of statewide, standardized
715 English Language Arts assessments and end-of-course assessments
716 for Algebra I and Geometry, to advise students of any identified
717 deficiencies and to provide appropriate postsecondary
718 preparatory instruction before high school graduation. The
719 results of evaluations used to monitor a student's progress in
720 grades K-12 must be provided to the student's teacher in a
721 timely manner. Thereafter, evaluation results must be provided
722 to the student's parent in a timely manner. When available,
723 instructional personnel must be provided with information on
724 student achievement of standards and benchmarks in order to
725 improve instruction. The criteria must also address the
726 following options: acceleration, whole-grade and midyear
727 promotion, early graduation, dual enrollment, the progressive
728 use of digital tools and applications, and virtual instruction.

729 Parents must be notified of a district's progression criteria as
730 part of the parent guide required by s. 1002.23(5) establish a
731 ~~comprehensive plan for student progression which must:~~

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

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

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

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

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

754 ~~(e)1. Advise parents and students that additional ACCEL~~

755 ~~options may be available at the student's school, pursuant to s.~~
756 ~~1002.3105.~~

757 ~~2. Advise parents and students to contact the principal at~~
758 ~~the student's school for information related to student~~
759 ~~eligibility requirements for whole grade promotion, midyear~~
760 ~~promotion, and subject-matter acceleration when the promotion or~~
761 ~~acceleration occurs within the principal's school; virtual~~
762 ~~instruction in higher grade level subjects; and any other ACCEL~~
763 ~~options offered by the principal, pursuant to s.~~
764 ~~1002.3105(2)(a).~~

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

773 ~~(f) Advise parents and students of the early graduation~~
774 ~~options under s. 1003.4281.~~

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

778 ~~(h) Provide instructional sequences by which students in~~
779 ~~kindergarten through high school may attain progressively higher~~
780 ~~levels of skill in the use of digital tools and applications.~~

781 ~~The instructional sequences must include participation in~~
782 ~~curricular and instructional options and the demonstration of~~
783 ~~competence of standards required pursuant to ss. 1003.41 and~~
784 ~~1003.4203 through attainment of industry certifications and~~
785 ~~other means of demonstrating credit requirements identified~~
786 ~~under ss. 1002.3105, 1003.4203, and 1003.4282.~~

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

790 ~~(a) Students who are deficient in reading by the end of~~
791 ~~grade 3.~~

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

795 ~~(3) (4) ASSESSMENT AND SUPPORT REMEDIATION.—~~

796 (a) Each student must participate in the statewide,
797 standardized assessment program required by s. 1008.22. Each
798 student who does not achieve a meet ~~specific levels of~~
799 ~~performance on the required assessments as determined by the~~
800 ~~district school board or who scores below Level 3 or above~~ on
801 the statewide, standardized Reading assessment or, upon
802 ~~implementation, the English Language Arts assessment, or on the~~
803 statewide, standardized Mathematics assessment, or assessments
804 ~~in grades 3 through 8 and the Algebra I EOC assessment must be~~
805 evaluated ~~provided with additional diagnostic assessments to~~
806 determine the nature of the student's difficulty, the areas of

807 academic need, and strategies for providing academic supports to
808 improve the student's performance ~~appropriate intervention and~~
809 ~~instruction as described in paragraph (b).~~ In accordance with a
810 district's K-12 comprehensive reading plan under s. 1011.62(9),
811 the district school board shall provide intensive instructional
812 and support services to students identified as having a
813 deficiency in reading in the following priority:

814 1. Students who are deficient in English language arts by
815 the end of grade 3.

816 2. Students who fail to meet performance levels required
817 for promotion consistent with the district school board's
818 criteria for student progression.

819 (b) ~~The school in which the student is enrolled must~~
820 ~~develop, in consultation with the student's parent, and must~~
821 ~~implement a progress monitoring plan. A progress monitoring plan~~
822 ~~is intended to provide the school district and the school~~
823 ~~flexibility in meeting the academic needs of the student and to~~
824 ~~reduce paperwork.~~ A student who is not meeting the school
825 district or state requirements for satisfactory performance in
826 English language arts and mathematics must ~~proficiency in~~
827 ~~reading and mathematics shall be covered by one of the following~~
828 ~~plans to target instruction and identify ways to improve his or~~
829 ~~her academic achievement:~~

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

832 2. A schoolwide system of progress monitoring for all

833 students; or

834 3. An individualized progress monitoring plan.

835

836 ~~The plan chosen must be designed to assist the student or the~~
837 ~~school in meeting state and district expectations for~~
838 ~~proficiency. If the student has been identified as having a~~
839 ~~deficiency in reading, the K-12 comprehensive reading plan~~
840 ~~required by s. 1011.62(9) shall include instructional and~~
841 ~~support services to be provided to meet the desired levels of~~
842 ~~performance. District school boards may require low-performing~~
843 ~~students to attend remediation programs held before or after~~
844 ~~regular school hours or during the summer if transportation is~~
845 ~~provided.~~

846 ~~(c) Upon subsequent evaluation, if the documented~~
847 ~~deficiency has not been remediated, the student may be retained.~~
848 ~~Each student who does not meet the minimum performance~~
849 ~~expectations defined by the Commissioner of Education for the~~
850 ~~statewide assessment tests in reading, writing, science, and~~
851 ~~mathematics must continue to be provided with remedial or~~
852 ~~supplemental instruction until the expectations are met or the~~
853 ~~student graduates from high school or is not subject to~~
854 ~~compulsory school attendance.~~

855 (4) ~~(5)~~ READING DEFICIENCY AND PARENTAL NOTIFICATION.—

856 (a) Any student who exhibits a substantial deficiency in
857 reading, based upon locally determined or statewide assessments
858 conducted in kindergarten or grade 1, grade 2, or grade 3, or

859 through teacher observations, must be given intensive reading
860 instruction immediately following the identification of the
861 reading deficiency. The student's reading proficiency must be
862 monitored and the intensive instruction must continue until the
863 student demonstrates grade level proficiency in a manner
864 determined by the district, which may include achieving a Level
865 3 on the statewide, standardized English Language Arts
866 assessment ~~reassessed by locally determined assessments or~~
867 ~~through teacher observations at the beginning of the grade~~
868 ~~following the intensive reading instruction. The student must~~
869 ~~continue to be provided with intensive reading instruction until~~
870 ~~the reading deficiency is remedied.~~

871 ~~(b) If a student's reading deficiency is not remedied by~~
872 ~~the end of grade 3, as demonstrated by scoring Level 2 or higher~~
873 ~~on the statewide, standardized assessment required under s.~~
874 ~~1008.22 for grade 3, the student must be retained.~~

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

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

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

882 3. A description of the intensive instruction ~~proposed~~
883 ~~supplemental instructional services~~ and supports that will be
884 provided to the child that are designed to remediate the

885 identified area of reading deficiency.

886 4. That if the child's reading deficiency is not
887 remediated by the end of grade 3, as demonstrated by meeting one
888 of the options in paragraph (5) (b), the child must be retained
889 unless he or she is exempt from mandatory retention for good
890 cause.

891 5. Strategies for parents to use in helping their child
892 succeed in reading proficiency, including a "Read at Home" plan.

893 6. That the statewide, standardized English Language Arts
894 assessment ~~Florida Comprehensive Assessment Test (FCAT)~~ is not
895 the sole determiner of promotion and that additional options
896 ~~evaluations, portfolio reviews, and assessments~~ are available to
897 the child to assist parents and the school district in knowing
898 when a child is reading at or above grade level and ready for
899 grade promotion, including the options in paragraph (5) (b). A
900 parent of a student in grade 3 who is identified anytime during
901 the year as being at risk of retention may request that the
902 school immediately begin collecting evidence for a portfolio.

903 7. The district's specific criteria and policies for a
904 portfolio as provided in subparagraph (5) (b) 2. ~~(6) (b) 4.~~ and the
905 evidence required for a student to demonstrate reading skills
906 sufficient for promotion to grade 4 ~~mastery of Florida's~~
907 ~~academic standards for English Language Arts.~~ A parent of a
908 ~~student in grade 3 who is identified anytime during the year as~~
909 ~~being at risk of retention may request that the school~~
910 ~~immediately begin collecting evidence for a portfolio.~~

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

915 (5) ~~(6)~~ ELIMINATION OF SOCIAL PROMOTION.—

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

918 (b) In order to be promoted to grade 4, a student must
919 score a Level 2 or higher on the statewide, standardized English
920 Language Arts assessment required under s. 1008.22 for grade 3.
921 If the student's reading deficiency is not remedied by the end
922 of grade 3, the student must be retained. A student who scores a
923 Level 1 on the statewide, standardized English Language Arts
924 assessment may demonstrate reading skills sufficient for
925 promotion to grade 4 either by:

926 1. Demonstrating an acceptable level of performance on an
927 alternative standardized reading or English Language Arts
928 assessment approved by the State Board of Education; or

929 2. Demonstrating through a student portfolio that he or
930 she is performing at least at Level 2 on the statewide,
931 standardized English Language Arts assessment.

932 (c) ~~(b)~~ The district school board may only exempt students
933 from mandatory retention, as provided in paragraph (b) ~~(5)~~ ~~(b)~~,
934 for good cause. A student who is promoted to grade 4 with a good
935 cause exemption shall be provided intensive reading instruction
936 and intervention that include specialized diagnostic information

937 and specific reading strategies to meet the needs of each
938 student so promoted. The school district shall assist schools
939 and teachers with the implementation of reading strategies ~~for~~
940 ~~students promoted with a good cause exemption which research has~~
941 ~~shown to be successful in improving reading among students who~~
942 ~~have reading difficulties.~~ Good cause exemptions are limited to
943 the following:

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

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

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

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

960 3.5. Students with disabilities who take the statewide,
961 standardized Reading assessment or, upon implementation, the
962 English Language Arts assessment and who have an individual

963 education plan or a Section 504 plan that reflects that the
964 student has received intensive instruction ~~remediation in~~
965 ~~reading or English Language Arts~~ for more than 2 years but still
966 demonstrates a deficiency and was previously retained in
967 kindergarten, grade 1, grade 2, or grade 3.

968 ~~4.6.~~ Students who have received intensive instruction and
969 supports ~~reading intervention~~ for 2 or more years but still
970 demonstrate a deficiency in reading and who were previously
971 retained in kindergarten, grade 1, grade 2, or grade 3 for a
972 total of 2 years. A student may not be retained more than once
973 in grade 3.

974 (d) Any decision to promote a student using an alternative
975 assessment under subparagraph (b)1., a student portfolio under
976 subparagraph (b)2., or a good cause exemption under paragraph
977 (c) must be made consistent with the following:

978 1. The student's teacher shall submit documentation to the
979 school principal indicating that the promotion of the student is
980 appropriate and is based upon the student's academic record. In
981 order to minimize paperwork requirements, such documentation
982 shall consist only of evidence related to the specific good
983 cause exemption requested, the student portfolio, or the
984 alternative assessment, as applicable.

985 2. The school principal shall review the recommendation
986 with the teacher and, if feasible, the student's parent and
987 determine whether the student should be promoted or retained
988 based upon the documentation provided by the teacher pursuant to

989 subparagraph 1. If the school principal determines that the
990 student should be promoted, the school principal shall make such
991 recommendation in writing to the district school superintendent.
992 The district school superintendent shall accept or reject the
993 school principal's recommendation in writing.

994 ~~7. Students who have received intensive remediation in~~
995 ~~reading or English Language Arts for 2 or more years but still~~
996 ~~demonstrate a deficiency and who were previously retained in~~
997 ~~kindergarten, grade 1, grade 2, or grade 3 for a total of 2~~
998 ~~years. Intensive instruction for students so promoted must~~
999 ~~include an altered instructional day that includes specialized~~
1000 ~~diagnostic information and specific reading strategies for each~~
1001 ~~student. The district school board shall assist schools and~~
1002 ~~teachers to implement reading strategies that research has shown~~
1003 ~~to be successful in improving reading among low-performing~~
1004 ~~readers.~~

1005 ~~(c) Requests for good cause exemptions for students from~~
1006 ~~the mandatory retention requirement as described in~~
1007 ~~subparagraphs (b)3. and 4. shall be made consistent with the~~
1008 ~~following:~~

1009 ~~1. Documentation shall be submitted from the student's~~
1010 ~~teacher to the school principal that indicates that the~~
1011 ~~promotion of the student is appropriate and is based upon the~~
1012 ~~student's academic record. In order to minimize paperwork~~
1013 ~~requirements, such documentation shall consist only of the~~
1014 ~~existing progress monitoring plan, individual educational plan,~~

1015 ~~if applicable, report card, or student portfolio.~~

1016 ~~2. The school principal shall review and discuss such~~
 1017 ~~recommendation with the teacher and make the determination as to~~
 1018 ~~whether the student should be promoted or retained. If the~~
 1019 ~~school principal determines that the student should be promoted,~~
 1020 ~~the school principal shall make such recommendation in writing~~
 1021 ~~to the district school superintendent. The district school~~
 1022 ~~superintendent shall accept or reject the school principal's~~
 1023 ~~recommendation in writing.~~

1024 ~~(6)-(7)~~ SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE
 1025 STUDENTS.—

1026 (a) Each school district shall provide students retained
 1027 under the provisions of paragraph (5) (b) with a highly effective
 1028 teacher as determined by the teacher's performance evaluation
 1029 under s. 1012.34 and intensive instruction and support necessary
 1030 for promotion to the next grade. The ~~must be provided intensive~~
 1031 ~~interventions in reading to ameliorate the student's specific~~
 1032 ~~reading deficiency, as identified by a valid and reliable~~
 1033 ~~diagnostic assessment. This intensive intervention must include~~
 1034 ~~effective instructional strategies, participation in the school~~
 1035 ~~district's summer reading camp, and appropriate teaching~~
 1036 ~~methodologies necessary to assist those students in becoming~~
 1037 ~~successful readers, able to read at or above grade level, and~~
 1038 ~~ready for promotion to the next grade.~~

1039 ~~(b) Each school district shall:~~

1040 ~~1. Provide third grade students who are retained under the~~

1041 ~~provisions of paragraph (5) (b) with intensive instructional~~
 1042 ~~services and supports to remediate the identified areas of~~
 1043 ~~reading deficiency, including participation in the school~~
 1044 ~~district's summer reading camp and as required under paragraph~~
 1045 ~~(a) and a minimum of 90 minutes of daily, uninterrupted,~~
 1046 ~~scientifically research-based reading instruction which includes~~
 1047 ~~phonemic awareness, phonics, fluency, vocabulary, and~~
 1048 ~~comprehension. and Other strategies may be identified in~~
 1049 ~~prescribed by the school district's K-12 comprehensive reading~~
 1050 ~~plan under s. 1011.62(9). district, which may include, but are~~
 1051 ~~not limited to:~~

- 1052 ~~a. Integration of science and social studies content~~
- 1053 ~~within the 90-minute block.~~
- 1054 ~~b. Small group instruction.~~
- 1055 ~~e. Reduced teacher-student ratios.~~
- 1056 ~~d. More frequent progress monitoring.~~
- 1057 ~~e. Tutoring or mentoring.~~
- 1058 ~~f. Transition classes containing 3rd and 4th grade~~
- 1059 ~~students.~~
- 1060 ~~g. Extended school day, week, or year.~~

1061 (b) Each school district shall establish at each school,
 1062 when applicable, an intensive reading acceleration course for
 1063 any student retained in grade 3 who was previously retained in
 1064 kindergarten, grade 1, or grade 2. The intensive reading
 1065 acceleration course must provide all instruction and support
 1066 included in the district's K-12 comprehensive reading plan as

1067 required by s. 1011.62(9)(c).

1068 (c) Each school district shall:

1069 1.2. Provide written notification to the parent of a
1070 student who is retained under the provisions of paragraph (5)(b)
1071 that his or her child has not met the proficiency level required
1072 for promotion and the reasons the child is not eligible for a
1073 good cause exemption as provided in paragraph (5)(c) ~~(6)(b)~~. The
1074 notification must comply with the provisions of s. 1002.20(15)
1075 and must include a description of proposed interventions and
1076 supports that will be provided to the child to remediate the
1077 identified areas of reading deficiency.

1078 2.3. Implement a policy for the midyear promotion of a
1079 retained student who demonstrates satisfactory performance in
1080 reading and progress sufficient to master next-grade content
1081 standards based on criteria established by the district school
1082 board ~~student retained under the provisions of paragraph (5)(b)~~
1083 ~~who can demonstrate that he or she is a successful and~~
1084 ~~independent reader and performing at or above grade level in~~
1085 ~~reading or, upon implementation of English Language Arts~~
1086 ~~assessments, performing at or above grade level in English~~
1087 ~~Language Arts. Tools that school districts may use in~~
1088 ~~reevaluating a student retained may include subsequent~~
1089 ~~assessments, alternative assessments, and portfolio reviews, in~~
1090 ~~accordance with rules of the State Board of Education.~~

1091 ~~4. Provide students who are retained under the provisions~~
1092 ~~of paragraph (5)(b) with a highly effective teacher as~~

1093 ~~determined by the teacher's performance evaluation under s.~~
 1094 ~~1012.34.~~

1095 ~~5. Establish at each school, when applicable, an Intensive~~
 1096 ~~Acceleration Class for retained grade 3 students who~~
 1097 ~~subsequently score Level 1 on the required statewide,~~
 1098 ~~standardized assessment identified in s. 1008.22. The focus of~~
 1099 ~~the Intensive Acceleration Class shall be to increase a child's~~
 1100 ~~reading and English Language Arts skill level at least two grade~~
 1101 ~~levels in 1 school year. The Intensive Acceleration Class shall:~~

1102 ~~a. Be provided to a student in grade 3 who scores Level 1~~
 1103 ~~on the statewide, standardized Reading assessment or, upon~~
 1104 ~~implementation, the English Language Arts assessment and who was~~
 1105 ~~retained in grade 3 the prior year because of scoring Level 1.~~

1106 ~~b. Have a reduced teacher-student ratio.~~

1107 ~~c. Provide uninterrupted reading instruction for the~~
 1108 ~~majority of student contact time each day and incorporate~~
 1109 ~~opportunities to master the grade 4 Next Generation Sunshine~~
 1110 ~~State Standards in other core subject areas.~~

1111 ~~d. Use a reading program that is scientifically research-~~
 1112 ~~based and has proven results in accelerating student reading~~
 1113 ~~achievement within the same school year.~~

1114 ~~e. Provide intensive language and vocabulary instruction~~
 1115 ~~using a scientifically research-based program, including use of~~
 1116 ~~a speech-language therapist.~~

1117 ~~(7)-(8) ANNUAL REPORT.-~~

1118 (a) In addition to the requirements in paragraph (5) (b),

1119 each district school board must annually report to the parent of
1120 each student the progress of the student toward achieving state
1121 and district expectations for proficiency in English language
1122 arts, reading, writing, science, social studies, and
1123 mathematics. The district school board must report to the parent
1124 the student's results on each statewide, standardized assessment
1125 ~~test~~. The evaluation of each student's progress must be based
1126 upon the student's classroom work, observations, tests, district
1127 and state assessments, and other relevant information. Progress
1128 reporting must be provided to the parent in writing in a format
1129 adopted by the district school board.

1130 (b) Each district school board must annually publish on
1131 the district website ~~and in the local newspaper~~ the following
1132 information on the prior school year:

1133 1. The provisions of this section relating to public
1134 school student progression and the district school board's
1135 policies and procedures on student retention and promotion.

1136 2. By grade, the number and percentage of all students in
1137 grades 3 through 10 performing at Levels 1 and 2 on the
1138 statewide, standardized English Language Arts assessment ~~reading~~
1139 ~~portion of the FCAT~~.

1140 3. By grade, the number and percentage of all students
1141 retained in kindergarten ~~grades 3~~ through grade 10.

1142 4. Information on the total number of students who were
1143 promoted using the alternative assessment under subparagraph
1144 (5)(b)1., using a student portfolio under subparagraph (5)(b)2.,

1145 or for good cause, by each category of good cause as specified
 1146 in paragraph (5) (c) ~~(6) (b)~~.

1147 5. Any revisions to the district school board's policies
 1148 and procedures ~~policy~~ on student retention and promotion from
 1149 the prior year.

1150 (8) (9) RULEMAKING.—The State Board of Education shall
 1151 adopt rules pursuant to ss. 120.536(1) and 120.54 for the
 1152 administration of this section.

1153 Section 10. Subsection (3) of section 1008.30, Florida
 1154 Statutes, is amended to read:

1155 1008.30 Common placement testing for public postsecondary
 1156 education.—

1157 ~~(3) The State Board of Education shall adopt rules that~~
 1158 ~~require high schools to evaluate before the beginning of grade~~
 1159 ~~12 the college readiness of each student who scores Level 2 or~~
 1160 ~~Level 3 on grade 10 FCAT Reading or the English Language Arts~~
 1161 ~~assessment under s. 1008.22, as applicable, or Level 2, Level 3,~~
 1162 ~~or Level 4 on the Algebra I assessment under s. 1008.22. High~~
 1163 ~~schools shall perform this evaluation using results from the~~
 1164 ~~corresponding component of the common placement test prescribed~~
 1165 ~~in this section, or an alternative test identified by the State~~
 1166 ~~Board of Education. The high school shall use the results of the~~
 1167 ~~test to advise the students of any identified deficiencies and~~
 1168 ~~to provide 12th grade students, and require them to complete,~~
 1169 ~~appropriate postsecondary preparatory instruction before high~~
 1170 ~~school graduation. The curriculum provided under this subsection~~

1171 ~~shall be identified in rule by the State Board of Education and~~
1172 ~~encompass Florida's Postsecondary Readiness Competencies. Other~~
1173 ~~elective courses may not be substituted for the selected~~
1174 ~~postsecondary mathematics, reading, writing, or English Language~~
1175 ~~Arts preparatory course unless the elective course covers the~~
1176 ~~same competencies included in the postsecondary mathematics,~~
1177 ~~reading, writing, or English Language Arts preparatory course.~~

1178 Section 11. Effective July 1, 2016, subsection (6) is
1179 added to section 1008.36, Florida Statutes, to read:

1180 1008.36 Florida School Recognition Program.—

1181 (6) In addition to funds provided pursuant to subsection
1182 (4), Title I high schools that receive a school grade of "A" or
1183 "B," beginning with school grades for the 2015-2016 school year,
1184 and that have a student population at least 65 percent of which
1185 is eligible for free or reduced-price meals under the National
1186 School Lunch Act shall receive financial awards depending on the
1187 availability of funds appropriated and the number and size of
1188 schools selected to receive an award.

1189
1190 Notwithstanding statutory provisions to the contrary, incentive
1191 awards are not subject to collective bargaining.

1192 Section 12. Paragraph (f) of subsection (1) and subsection
1193 (9) of section 1011.62, Florida Statutes, are amended to read:

1194 1011.62 Funds for operation of schools.—If the annual
1195 allocation from the Florida Education Finance Program to each
1196 district for operation of schools is not determined in the

1197 annual appropriations act or the substantive bill implementing
 1198 the annual appropriations act, it shall be determined as
 1199 follows:

1200 (1) COMPUTATION OF THE BASIC AMOUNT TO BE INCLUDED FOR
 1201 OPERATION.—The following procedure shall be followed in
 1202 determining the annual allocation to each district for
 1203 operation:

1204 (f) Supplemental academic instruction; categorical fund.—

1205 1. There is created a categorical fund to provide
 1206 supplemental academic instruction to students in kindergarten
 1207 through grade 12. This paragraph may be cited as the
 1208 "Supplemental Academic Instruction Categorical Fund."

1209 2. Categorical funds for supplemental academic instruction
 1210 shall be allocated annually to each school district in the
 1211 amount provided in the General Appropriations Act. These funds
 1212 shall be in addition to the funds appropriated on the basis of
 1213 FTE student membership in the Florida Education Finance Program
 1214 and shall be included in the total potential funds of each
 1215 district. These funds shall be used to provide supplemental
 1216 academic instruction to students enrolled in the K-12 program
 1217 which. ~~For the 2014-2015 fiscal year, each school district that~~
 1218 ~~has one or more of the 300 lowest-performing elementary schools~~
 1219 ~~based on the state reading assessment shall use these funds,~~
 1220 ~~together with the funds provided in the district's research-~~
 1221 ~~based reading instruction allocation and other available funds,~~
 1222 ~~to provide an additional hour of instruction beyond the normal~~

1223 ~~school day for each day of the entire school year for intensive~~
1224 ~~reading instruction for the students in each of these schools.~~
1225 ~~This additional hour of instruction must be provided by teachers~~
1226 ~~or reading specialists who are effective in teaching reading or~~
1227 ~~by a K-5 mentoring reading program that is supervised by a~~
1228 ~~teacher who is effective at teaching reading. Students enrolled~~
1229 ~~in these schools who have level 5 assessment scores may~~
1230 ~~participate in the additional hour of instruction on an optional~~
1231 ~~basis. Exceptional student education centers shall not be~~
1232 ~~included in the 300 schools. After this requirement has been~~
1233 ~~met, supplemental instruction strategies may include, but is are~~
1234 not limited to: modified curriculum, reading instruction, after-
1235 school instruction, tutoring, mentoring, class size reduction,
1236 extended school year, intensive skills development in summer
1237 school, and other methods for improving student achievement.
1238 Supplemental instruction may be provided to a student in any
1239 manner and at any time during or beyond the regular 180-day term
1240 identified by the school as being the most effective and
1241 efficient way to best help that student progress from grade to
1242 grade and to graduate.

1243 3. Effective with the 1999-2000 fiscal year, funding on
1244 the basis of FTE membership beyond the 180-day regular term
1245 shall be provided in the FEFP only for students enrolled in
1246 juvenile justice education programs or in education programs for
1247 juveniles placed in secure facilities or programs under s.
1248 985.19. Funding for instruction beyond the regular 180-day

1249 school year for all other K-12 students shall be provided
 1250 through the supplemental academic instruction categorical fund
 1251 and other state, federal, and local fund sources with ample
 1252 flexibility for schools to provide supplemental instruction to
 1253 assist students in progressing from grade to grade and
 1254 graduating.

1255 4. The Florida State University School, as a lab school,
 1256 is authorized to expend from its FEFP or Lottery Enhancement
 1257 Trust Fund allocation the cost to the student of remediation in
 1258 reading, writing, or mathematics for any graduate who requires
 1259 remediation at a postsecondary educational institution.

1260 5. Beginning in the 1999-2000 school year, dropout
 1261 prevention programs as defined in ss. 1003.52, 1003.53(1)(a),
 1262 (b), and (c), and 1003.54 shall be included in group 1 programs
 1263 under subparagraph (d)3.

1264 (9) RESEARCH-BASED READING INSTRUCTION ALLOCATION.—

1265 (a) The research-based reading instruction allocation is
 1266 created to provide comprehensive reading instruction to students
 1267 in kindergarten through grade 12. ~~For the 2014-2015 fiscal year,~~
 1268 ~~in each school district that has one or more of the 300 lowest-~~
 1269 ~~performing elementary schools based on the state reading~~
 1270 ~~assessment, priority shall be given to providing an additional~~
 1271 ~~hour per day of intensive reading instruction beyond the normal~~
 1272 ~~school day for each day of the entire school year for the~~
 1273 ~~students in each school. Students enrolled in these schools who~~
 1274 ~~have level 5 assessment scores may participate in the additional~~

1275 ~~hour of instruction on an optional basis. Exceptional student~~
1276 ~~education centers shall not be included in the 300 schools. The~~
1277 ~~intensive reading instruction delivered in this additional hour~~
1278 ~~and for other students shall include: research-based reading~~
1279 ~~instruction that has been proven to accelerate progress of~~
1280 ~~students exhibiting a reading deficiency; differentiated~~
1281 ~~instruction based on student assessment data to meet students'~~
1282 ~~specific reading needs; explicit and systematic reading~~
1283 ~~development in phonemic awareness, phonics, fluency, vocabulary,~~
1284 ~~and comprehension, with more extensive opportunities for guided~~
1285 ~~practice, error correction, and feedback; and the integration of~~
1286 ~~social studies, science, and mathematics-text reading, text~~
1287 ~~discussion, and writing in response to reading. For the 2012-~~
1288 ~~2013 and 2013-2014 fiscal years, a school district may not hire~~
1289 ~~more reading coaches than were hired during the 2011-2012 fiscal~~
1290 ~~year unless all students in kindergarten through grade 5 who~~
1291 ~~demonstrate a reading deficiency, as determined by district and~~
1292 ~~state assessments, including students scoring Level 1 or Level 2~~
1293 ~~on the statewide, standardized reading assessment or, upon~~
1294 ~~implementation, the English Language Arts assessment, are~~
1295 ~~provided an additional hour per day of intensive reading~~
1296 ~~instruction beyond the normal school day for each day of the~~
1297 ~~entire school year.~~

1298 (b) Funds for comprehensive, research-based reading
1299 instruction shall be allocated annually to each school district
1300 in the amount provided in the General Appropriations Act. Each

1301 eligible school district shall receive the same minimum amount
 1302 as specified in the General Appropriations Act, and any
 1303 remaining funds shall be distributed to eligible school
 1304 districts based on each school district's proportionate share of
 1305 K-12 base funding.

1306 (c) Funds allocated under this subsection must be used to
 1307 provide a system of comprehensive reading instruction to
 1308 students enrolled in the K-12 programs ~~., which~~

1309 1. The comprehensive reading system may include the
 1310 following:

1311 ~~a.1.~~ The provision of an additional hour per day of
 1312 intensive reading instruction to students in the ~~300~~ lowest-
 1313 performing elementary schools by teachers and reading
 1314 specialists who are effective in teaching reading.

1315 ~~b.2.~~ Kindergarten through grade 5 reading intervention
 1316 teachers to provide intensive intervention during the school day
 1317 and in the required extra hour for students identified as having
 1318 a reading deficiency.

1319 ~~c.3.~~ The provision of highly qualified reading coaches to
 1320 specifically support teachers in making instructional decisions
 1321 based on student data, and improve teacher delivery of effective
 1322 reading instruction, intervention, and reading in the content
 1323 areas based on student need.

1324 ~~d.4.~~ Professional development for school district teachers
 1325 in scientifically based reading instruction, including
 1326 strategies to teach reading in content areas and with an

1327 emphasis on technical and informational text.

1328 ~~e.5.~~ The provision of summer reading camps for all
1329 students in kindergarten through grade 2 who demonstrate a
1330 reading deficiency as determined by district and state
1331 assessments, and students in grades 3 through 5 who score at
1332 Level 1 on the statewide, standardized reading assessment or,
1333 upon implementation, the English Language Arts assessment.

1334 ~~f.6.~~ The provision of supplemental instructional materials
1335 that are grounded in scientifically based reading research.

1336 ~~g.7.~~ The provision of intensive interventions for students
1337 in kindergarten through grade 12 who have been identified as
1338 having a reading deficiency or who are reading below grade level
1339 as determined by the statewide, standardized assessment.

1340 h. Tutoring, mentoring, or an extended school day, week,
1341 or year.

1342 i. Transition classes containing 3rd and 4th grade
1343 students.

1344 2. The intensive reading acceleration course under s.
1345 1008.25(6)(b) must provide the following:

1346 a. The integration of science and social studies content
1347 in a minimum of a 90-minute reading block.

1348 b. Small group instruction.

1349 c. Reduced teacher-student ratios.

1350 d. The use of a scientifically research-based reading
1351 program that has proven results in accelerating student reading
1352 achievement within the same school year.

1353 e. Intensive language and vocabulary instruction using a
1354 scientifically research-based program, including the use of a
1355 speech-language therapist if necessary.

1356 f. A "Read at Home" plan.

1357 (d) Annually, by a date determined by the Department of
1358 Education but before May 1, school districts shall submit a K-12
1359 comprehensive reading plan for the specific use of the research-
1360 based reading instruction allocation in the format prescribed by
1361 the department for review and approval by the Just Read,
1362 Florida! Office created pursuant to s. 1001.215. The plan
1363 annually submitted by school districts shall be deemed approved
1364 unless the department rejects the plan on or before June 1. If a
1365 school district and the Just Read, Florida! Office cannot reach
1366 agreement on the contents of the plan, the school district may
1367 appeal to the State Board of Education for resolution. School
1368 districts shall be allowed reasonable flexibility in designing
1369 their plans and shall be encouraged to offer reading
1370 intervention through innovative methods, including career
1371 academies. The plan format shall be developed with input from
1372 school district personnel, including teachers and principals,
1373 and shall allow courses in core, career, and alternative
1374 programs that deliver intensive reading remediation through
1375 integrated curricula, provided that the teacher is deemed highly
1376 qualified to teach reading or working toward that status. No
1377 later than July 1 annually, the department shall release the
1378 school district's allocation of appropriated funds to those

1379 districts having approved plans. A school district that spends
 1380 100 percent of this allocation on its approved plan shall be
 1381 deemed to have been in compliance with the plan. The department
 1382 may withhold funds upon a determination that reading instruction
 1383 allocation funds are not being used to implement the approved
 1384 plan. The department shall monitor and track the implementation
 1385 of each district plan, including conducting site visits and
 1386 collecting specific data on expenditures and reading improvement
 1387 results. ~~By February 1 of each year,~~ The department shall
 1388 regularly report its findings to the State Board of Education
 1389 Legislature. At its first regularly scheduled meeting after
 1390 August 1 of each year, the state board shall review the
 1391 effectiveness of each district plan.

1392 Section 13. Section 1012.34, Florida Statutes, is amended
 1393 to read:

1394 1012.34 Personnel evaluation procedures and criteria.—

1395 (1) EVALUATION SYSTEM APPROVAL AND REPORTING.—

1396 (a) For the purpose of increasing student academic
 1397 performance by improving the quality of instructional,
 1398 administrative, and supervisory services in the public schools
 1399 of the state, the district school superintendent shall establish
 1400 procedures for evaluating the performance of duties and
 1401 responsibilities of all instructional, administrative, and
 1402 supervisory personnel employed by the school district. The
 1403 district school superintendent shall provide instructional
 1404 personnel the opportunity to review their class rosters for

1405 accuracy and to correct any mistakes. The district school
1406 superintendent shall report accurate class rosters for the
1407 purpose of calculating district and statewide student
1408 performance and annually report the evaluation results of
1409 instructional personnel and school administrators to the
1410 Department of Education in addition to the information required
1411 under subsection (5).

1412 (b) The department must approve each school district's
1413 instructional personnel and school administrator evaluation
1414 systems. The department shall monitor each district's
1415 implementation of its instructional personnel and school
1416 administrator evaluation systems for compliance with the
1417 requirements of this section and ~~s. 1012.3401~~.

1418 (c) Annually, by February ~~December~~ 1, the Commissioner of
1419 Education shall publish on the department's website ~~report to~~
1420 ~~the Governor, the President of the Senate, and the Speaker of~~
1421 ~~the House of Representatives the approval and implementation~~
1422 status of each school district's instructional personnel and
1423 school administrator evaluation systems. This information must
1424 ~~The report shall~~ include:

1425 1. Performance evaluation results for the prior school
1426 year for instructional personnel and school administrators using
1427 the four levels of performance specified in paragraph (2)(e).
1428 The performance evaluation results for instructional personnel
1429 shall be disaggregated by classroom teachers, as defined in s.
1430 1012.01(2)(a), excluding substitute teachers, and all other

1431 instructional personnel, as defined in s. 1012.01(2)(b)-(d).

1432 2. An analysis that compares performance evaluation
1433 results calculated by each school district to indicators of
1434 performance calculated by the department using the standards for
1435 performance levels adopted by the state board under subsection
1436 (8). ~~The commissioner shall include in the report each~~
1437 ~~district's performance-level standards established under~~
1438 ~~subsection (7), a comparative analysis of the district's student~~
1439 ~~academic performance results and evaluation results,~~

1440 3. ~~Data reported under s. 1012.341, and the status of any~~
1441 ~~evaluation system revisions requested by a school district~~
1442 ~~pursuant to subsection (6).~~

1443 (2) EVALUATION SYSTEM REQUIREMENTS.—The evaluation systems
1444 for instructional personnel and school administrators must:

1445 (a) Be designed to support effective instruction and
1446 student learning growth, and performance evaluation results must
1447 be used when developing district and school level improvement
1448 plans.

1449 (b) Provide appropriate instruments, procedures, timely
1450 feedback, and criteria for continuous quality improvement of the
1451 professional skills of instructional personnel and school
1452 administrators, and performance evaluation results must be used
1453 when identifying professional development.

1454 (c) Include a mechanism to examine performance data from
1455 multiple sources, including opportunities for parents to provide
1456 input into employee performance evaluations when appropriate.

1457 (d) Identify those teaching fields for which special
 1458 evaluation procedures and criteria are necessary.

1459 (e) Differentiate among four levels of performance as
 1460 follows:

- 1461 1. Highly effective.
- 1462 2. Effective.
- 1463 3. Needs improvement or, for instructional personnel in
 1464 the first 3 years of employment who need improvement,
 1465 developing.
- 1466 4. Unsatisfactory.

1467
 1468 ~~The Commissioner of Education shall consult with experts,~~
 1469 ~~instructional personnel, school administrators, and education~~
 1470 ~~stakeholders in developing the criteria for the performance~~
 1471 ~~levels.~~

1472 (f) Provide for training and monitoring programs ~~that are~~
 1473 based upon guidelines provided by the department to ensure that
 1474 all individuals with evaluation responsibilities understand the
 1475 proper use of the evaluation criteria and procedures.

1476 ~~(g) Include a process for monitoring and evaluating the~~
 1477 ~~effective and consistent use of the evaluation criteria by~~
 1478 ~~employees with evaluation responsibilities.~~

1479 ~~(h) Include a process for monitoring and evaluating the~~
 1480 ~~effectiveness of the system itself in improving instruction and~~
 1481 ~~student learning.~~

1482

1483 In addition, each district school board may establish a peer
1484 assistance process. This process may be a part of the regular
1485 evaluation system or used to assist employees placed on
1486 performance probation, newly hired classroom teachers, or
1487 employees who request assistance.

1488 (3) EVALUATION PROCEDURES AND CRITERIA.—Instructional
1489 personnel and school administrator performance evaluations must
1490 be based upon the performance of students assigned to their
1491 classrooms or schools, as provided in this section. Pursuant to
1492 this section, a school district's performance evaluation system
1493 is not limited to basing unsatisfactory performance of
1494 instructional personnel and school administrators solely upon
1495 student performance, but may include other criteria ~~approved~~ to
1496 evaluate instructional personnel and school administrators'
1497 performance, or any combination of student performance and other
1498 ~~approved~~ criteria. Evaluation procedures and criteria must
1499 comply with, but are not limited to, the following:

1500 (a) A performance evaluation must be conducted for each
1501 employee at least once a year, except that a classroom teacher,
1502 as defined in s. 1012.01(2)(a), excluding substitute teachers,
1503 who is newly hired by the district school board must be observed
1504 and evaluated at least twice in the first year of teaching in
1505 the school district. The performance evaluation must be based
1506 upon sound educational principles and contemporary research in
1507 effective educational practices. The evaluation criteria must
1508 include:

1509 1. Performance of students.—At least one-third ~~50 percent~~
1510 of a performance evaluation must be based upon data and
1511 indicators of student performance learning growth ~~assessed~~
1512 ~~annually by statewide assessments or, for subjects and grade~~
1513 ~~levels not measured by statewide assessments, by school district~~
1514 ~~assessments as provided in s. 1008.22(6). Each school district~~
1515 ~~must use the formula adopted pursuant to paragraph (7)(a) for~~
1516 ~~measuring student learning growth in all courses associated with~~
1517 ~~statewide assessments and must select an equally appropriate~~
1518 ~~formula for measuring student learning growth for all other~~
1519 ~~grades and subjects, except as otherwise provided in accordance~~
1520 with subsection (7).

1521 a. ~~For classroom teachers, as defined in s. 1012.01(2)(a),~~
1522 ~~excluding substitute teachers, the student learning growth~~ This
1523 portion of the evaluation must include growth or achievement
1524 data of the teacher's students or, for a school administrator,
1525 the students attending the school ~~for students assigned to the~~
1526 ~~teacher~~ over the course of at least 3 years. If less than 3
1527 years of data are available, the years for which data are
1528 available must be used. The proportion of growth or achievement
1529 data may be determined by instructional assignment and the
1530 ~~percentage of the evaluation based upon student learning growth~~
1531 ~~may be reduced to not less than 40 percent.~~

1532 b. ~~For instructional personnel who are not classroom~~
1533 ~~teachers, the student learning growth portion of the evaluation~~
1534 ~~must include growth data on statewide assessments for students~~

1535 ~~assigned to the instructional personnel over the course of at~~
1536 ~~least 3 years, or may include a combination of student learning~~
1537 ~~growth data and other measurable student outcomes that are~~
1538 ~~specific to the assigned position, provided that the student~~
1539 ~~learning growth data accounts for not less than 30 percent of~~
1540 ~~the evaluation. If less than 3 years of student growth data are~~
1541 ~~available, the years for which data are available must be used~~
1542 ~~and the percentage of the evaluation based upon student learning~~
1543 ~~growth may be reduced to not less than 20 percent.~~

1544 ~~e. For school administrators, the student learning growth~~
1545 ~~portion of the evaluation must include growth data for students~~
1546 ~~assigned to the school over the course of at least 3 years. If~~
1547 ~~less than 3 years of data are available, the years for which~~
1548 ~~data are available must be used and the percentage of the~~
1549 ~~evaluation based upon student learning growth may be reduced to~~
1550 ~~not less than 40 percent.~~

1551 2. Instructional practice.~~For instructional personnel, at~~
1552 least one-third of the performance evaluation must be based upon
1553 instructional practice. Evaluation criteria used when annually
1554 observing classroom teachers, as defined in s. 1012.01(2)(a),
1555 excluding substitute teachers, must include indicators based
1556 upon each of the Florida Educator Accomplished Practices adopted
1557 by the State Board of Education. For instructional personnel who
1558 are not classroom teachers, evaluation criteria must be based
1559 upon indicators of the Florida Educator Accomplished Practices
1560 and may include specific job expectations related to student

1561 support.

1562 3. Instructional leadership.—For school administrators, at
1563 least one-third of the performance evaluation must be based on
1564 instructional leadership. Evaluation criteria for instructional
1565 leadership must include indicators based upon each of the
1566 leadership standards adopted by the State Board of Education
1567 under s. 1012.986, including performance measures related to the
1568 effectiveness of classroom teachers in the school, the
1569 administrator's appropriate use of evaluation criteria and
1570 procedures, recruitment and retention of effective and highly
1571 effective classroom teachers, improvement in the percentage of
1572 instructional personnel evaluated at the highly effective or
1573 effective level, and other leadership practices that result in
1574 student learning growth. The system may include a means to give
1575 parents and instructional personnel an opportunity to provide
1576 input into the administrator's performance evaluation.

1577 4. Other indicators of performance ~~Professional and job~~
1578 ~~responsibilities.—The remainder of a performance evaluation may~~
1579 include, but is not limited to, ~~For instructional personnel and~~
1580 ~~school administrators, other~~ professional and job
1581 responsibilities ~~must be included~~ as recommended ~~adopted~~ by the
1582 State Board of Education or identified by the district school
1583 board and, for instructional personnel, peer reviews,
1584 objectively reliable survey information from students and
1585 parents based on teaching practices that are consistently
1586 associated with higher student achievement, and other valid and

1587 reliable measures of instructional practice. ~~The district school~~
1588 ~~board may identify additional professional and job~~
1589 ~~responsibilities.~~

1590 (b) All personnel must be fully informed of the criteria,
1591 data sources, methodologies, and procedures associated with the
1592 evaluation process before the evaluation takes place.

1593 (c) The individual responsible for supervising the
1594 employee must evaluate the employee's performance. The
1595 evaluation system may provide for the evaluator to consider
1596 input from other personnel trained under subsection (2)
1597 ~~paragraph (2)(f).~~ The evaluator must submit a written report of
1598 the evaluation to the district school superintendent for the
1599 purpose of reviewing the employee's contract. The evaluator must
1600 submit the written report to the employee no later than 10 days
1601 after the evaluation takes place. The evaluator must discuss the
1602 written evaluation report with the employee. The employee shall
1603 have the right to initiate a written response to the evaluation,
1604 and the response shall become a permanent attachment to his or
1605 her personnel file.

1606 (d) The evaluator may amend an evaluation based upon
1607 assessment data from the current school year if the data becomes
1608 available within 90 days after the close of the school year. The
1609 evaluator must then comply with the procedures set forth in
1610 paragraph (c).

1611 (4) NOTIFICATION OF UNSATISFACTORY PERFORMANCE.—If an
1612 employee who holds a professional service contract as provided

1613 in s. 1012.33 is not performing his or her duties in a
1614 satisfactory manner, the evaluator shall notify the employee in
1615 writing of such determination. The notice must describe such
1616 unsatisfactory performance and include notice of the following
1617 procedural requirements:

1618 (a) Upon delivery of a notice of unsatisfactory
1619 performance, the evaluator must confer with the employee who
1620 holds a professional service contract, make recommendations with
1621 respect to specific areas of unsatisfactory performance, and
1622 provide assistance in helping to correct deficiencies within a
1623 prescribed period of time.

1624 (b)1. The employee who holds a professional service
1625 contract shall be placed on performance probation and governed
1626 by the provisions of this section for 90 calendar days following
1627 the receipt of the notice of unsatisfactory performance to
1628 demonstrate corrective action. School holidays and school
1629 vacation periods are not counted when calculating the 90-
1630 calendar-day period. During the 90 calendar days, the employee
1631 who holds a professional service contract must be evaluated
1632 periodically and apprised of progress achieved and must be
1633 provided assistance and inservice training opportunities to help
1634 correct the noted performance deficiencies. At any time during
1635 the 90 calendar days, the employee who holds a professional
1636 service contract may request a transfer to another appropriate
1637 position with a different supervising administrator; however, if
1638 a transfer is granted pursuant to ss. 1012.27(1) and 1012.28(6),

1639 it does not extend the period for correcting performance
1640 deficiencies.

1641 2. Within 14 days after the close of the 90 calendar days,
1642 the evaluator must evaluate whether the performance deficiencies
1643 have been corrected and forward a recommendation to the district
1644 school superintendent. Within 14 days after receiving the
1645 evaluator's recommendation, the district school superintendent
1646 must notify the employee who holds a professional service
1647 contract in writing whether the performance deficiencies have
1648 been satisfactorily corrected and whether the district school
1649 superintendent will recommend that the district school board
1650 continue or terminate his or her employment contract. If the
1651 employee wishes to contest the district school superintendent's
1652 recommendation, the employee must, within 15 days after receipt
1653 of the district school superintendent's recommendation, submit a
1654 written request for a hearing. The hearing shall be conducted at
1655 the district school board's election in accordance with one of
1656 the following procedures:

1657 a. A direct hearing conducted by the district school board
1658 within 60 days after receipt of the written appeal. The hearing
1659 shall be conducted in accordance with the provisions of ss.
1660 120.569 and 120.57. A majority vote of the membership of the
1661 district school board shall be required to sustain the district
1662 school superintendent's recommendation. The determination of the
1663 district school board shall be final as to the sufficiency or
1664 insufficiency of the grounds for termination of employment; or

1665 b. A hearing conducted by an administrative law judge
1666 assigned by the Division of Administrative Hearings of the
1667 Department of Management Services. The hearing shall be
1668 conducted within 60 days after receipt of the written appeal in
1669 accordance with chapter 120. The recommendation of the
1670 administrative law judge shall be made to the district school
1671 board. A majority vote of the membership of the district school
1672 board shall be required to sustain or change the administrative
1673 law judge's recommendation. The determination of the district
1674 school board shall be final as to the sufficiency or
1675 insufficiency of the grounds for termination of employment.

1676 (5) ADDITIONAL NOTIFICATIONS.—The district school
1677 superintendent shall annually notify the department of any
1678 instructional personnel or school administrators who receive two
1679 consecutive unsatisfactory evaluations. The district school
1680 superintendent shall also notify the department of any
1681 instructional personnel or school administrators who are given
1682 written notice by the district of intent to terminate or not
1683 renew their employment. The department shall conduct an
1684 investigation to determine whether action shall be taken against
1685 the certificateholder pursuant to s. 1012.795.

1686 (6) ANNUAL REVIEW OF AND REVISIONS TO THE SCHOOL DISTRICT
1687 EVALUATION SYSTEMS.—The district school board shall establish a
1688 procedure for annually reviewing instructional personnel and
1689 school administrator evaluation systems to determine compliance
1690 with this section ~~and s. 1012.3401~~. All substantial revisions to

1691 an approved system must be reviewed and approved by the district
 1692 school board before being used to evaluate instructional
 1693 personnel or school administrators. Upon request by a school
 1694 district, the department shall provide assistance in developing,
 1695 improving, or reviewing an evaluation system.

1696 (7) MEASUREMENT OF STUDENT PERFORMANCE ~~LEARNING GROWTH~~.—

1697 (a) The Commissioner of Education shall approve a formula
 1698 to measure individual student learning growth on the statewide,
 1699 standardized assessments in English Language Arts and
 1700 mathematics administered under s. 1008.22. The formula must take
 1701 into consideration each student's prior academic performance.
 1702 The formula must not set different expectations for student
 1703 learning growth based upon a student's gender, race, ethnicity,
 1704 or socioeconomic status. In the development of the formula, the
 1705 commissioner shall consider other factors such as a student's
 1706 attendance record, disability status, or status as an English
 1707 language learner. The commissioner may ~~shall~~ select additional
 1708 formulas to measure student performance as appropriate for the
 1709 remainder of the statewide, standardized assessments included
 1710 under s. 1008.22 and continue to select formulas as new
 1711 assessments are implemented in the state system. After the
 1712 commissioner approves the formula to measure individual student
 1713 learning growth, the State Board of Education shall adopt these
 1714 formulas in rule.

1715 (b) Each school district shall measure student learning
 1716 growth using the formulas approved by the commissioner under

1717 paragraph (a) and the standards for performance levels adopted
1718 by the state board under subsection (8) for courses associated
1719 with the statewide, standardized assessments administered under
1720 s. 1008.22 no later than the school year immediately following
1721 the year the formula is approved by the commissioner. For grades
1722 and subjects not assessed by statewide, standardized assessments
1723 ~~but otherwise assessed as required under s. 1008.22(6),~~ each
1724 school district shall measure student performance ~~of students~~
1725 using a methodology determined by the district. ~~The department~~
1726 ~~shall provide models for measuring performance of students which~~
1727 ~~school districts may adopt.~~

1728 ~~(c) For a course that is not measured by a statewide,~~
1729 ~~standardized assessment, a school district may request, through~~
1730 ~~the evaluation system approval process, to use a student's~~
1731 ~~achievement level rather than student learning growth if~~
1732 ~~achievement is demonstrated to be a more appropriate measure of~~
1733 ~~classroom teacher performance. A school district may also~~
1734 ~~request to use a combination of student learning growth and~~
1735 ~~achievement, if appropriate.~~

1736 ~~(d) For a course that is not measured by a statewide,~~
1737 ~~standardized assessment, a school district may request, through~~
1738 ~~the evaluation system approval process, that the performance~~
1739 ~~evaluation for the classroom teacher assigned to that course~~
1740 ~~include the learning growth of his or her students on one or~~
1741 ~~more statewide, standardized assessments. The request must~~
1742 ~~clearly explain the rationale supporting the request.~~

1743 ~~(c) For purposes of this section and only for the 2014-~~
1744 ~~2015 school year, a school district may use measurable learning~~
1745 ~~targets on local assessments administered under s. 1008.22(6) to~~
1746 ~~evaluate the performance of students portion of a classroom~~
1747 ~~teacher's evaluation for courses that are not assessed by~~
1748 ~~statewide, standardized assessments. Learning targets must be~~
1749 ~~approved by the school principal. A district school~~
1750 ~~superintendent may assign to instructional personnel in an~~
1751 ~~instructional team the student learning growth of the~~
1752 ~~instructional team's students on statewide assessments. This~~
1753 ~~paragraph expires July 1, 2015.~~

1754 (8) RULEMAKING.—The State Board of Education shall adopt
1755 rules pursuant to ss. 120.536(1) and 120.54 which establish
1756 uniform procedures and format for the submission, review, and
1757 approval of district evaluation systems and reporting
1758 requirements for the annual evaluation of instructional
1759 personnel and school administrators; specific, discrete
1760 standards for each performance level required under subsection
1761 (2), based on student learning growth models approved by the
1762 commissioner, to ensure clear and sufficient differentiation in
1763 the performance levels and to provide consistency in meaning
1764 across school districts; the measurement of student learning
1765 growth and associated implementation procedures required under
1766 subsection (7); and a process for monitoring school district
1767 implementation of evaluation systems in accordance with this
1768 section. ~~Specifically, the rules shall establish student~~

1769 ~~performance levels that if not met will result in the employee~~
1770 ~~receiving an unsatisfactory performance evaluation rating. In~~
1771 ~~like manner, the rules shall establish a student performance~~
1772 ~~level that must be met in order for an employee to receive a~~
1773 ~~highly effective rating and a student learning growth standard~~
1774 ~~that must be met in order for an employee to receive an~~
1775 ~~effective rating.~~

1776 (9) TRANSITION TO NEW STATEWIDE, STANDARDIZED
1777 ASSESSMENTS.—Standards for each performance level required under
1778 subsection (2) shall be established by the State Board of
1779 Education beginning with the 2015-2016 school year.

1780 ~~(10) DISTRICT BONUS REWARDS FOR PERFORMANCE PAY BASED ON~~
1781 ~~EVALUATION PROGRESS. School districts are eligible for bonus~~
1782 ~~rewards as provided for in the 2014 General Appropriations Act~~
1783 ~~for making outstanding progress toward educator effectiveness,~~
1784 ~~including implementation of instructional personnel salaries~~
1785 ~~based on performance results under s. 1012.34 and the use of~~
1786 ~~local assessment results in personnel evaluations when~~
1787 ~~statewide, standardized assessments are not administered.~~

1788 Section 14. Section 1012.3401, Florida Statutes, is
1789 repealed.

1790 Section 15. Subsection (10) of section 1012.98, Florida
1791 Statutes, is amended to read:

1792 1012.98 School Community Professional Development Act.—

1793 (10) For instructional personnel ~~teachers, managers,~~ and
1794 administrative personnel who have been evaluated as less than

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1795 effective ~~satisfactory~~, a district school board shall require
1796 participation in specific professional development programs as
1797 provided in subparagraph (4)(b)4. as part of the improvement
1798 prescription.

1799 Section 16. Except as otherwise expressly provided in this
1800 act, this act shall take effect upon becoming a law.