



**Rule 6A-1.09422, Florida Administrative Code (F.A.C.),
Statewide, Standardized Assessment Program Requirements**

**State Board of Education
February 9, 2022**



FLORIDA DEPARTMENT OF
EDUCATION
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Proposed Amendment to Rule 6A-1.09422, F.A.C.

This proposed amendment does two things:

1. As required by a change to state law from the 2021 Legislative session, provides an **alternative method for English Language Learners** who have been enrolled in an ESOL program for less than 2 years to meet the Grade 10 English Language Arts (ELA) assessment graduation requirement.
2. Protects Florida's #1 in the nation accountability system, while **maintaining the same flexibilities prior graduating classes have had to meet assessment graduation requirements.**

Topic #1: Assessment Graduation Requirements for Students in ESOL Programs for Less Than 2 Years

- During the 2021 Legislative Session SB 1108 amended Section 1003.433(3)(b), Florida Statutes, to address graduation requirements for students enrolled in an ESOL program for less than 2 school years.
- This proposed amendment delineates alternative methods available for these students, which include:
 - Formative assessments, such as benchmark assessments, progress monitoring, and student portfolios where students demonstrate grade-level expectations.
 - Summer English language instruction, culminating in students passing the required assessments.
- This alternative method will likely apply to a targeted and very small number of students.

Topic #2: Timeline for the Implementation of Updated Concordant and Comparative Scores

- This year's graduating class of 2022 did not get the chance to take the Grade 10 FSA ELA at the normal time due to the cancellation of Spring 2020 assessments.
- This proposed amendment delays for one year the implementation of the updated concordant and comparative scores that can be used to meet graduation requirements.
- A significant segment of students graduate use concordant scores to meet graduation requirements, and the trend has increased over time.
 - For example, during the last year when assessment graduation requirements were in place (2018-19), over one-third (34.4%) of graduates used concordant scores to meet the requirement.

Topic #2: Timeline for the Implementation of Updated Concordant and Comparative Scores

- The State Board has the authority to set the concordant and comparative scores, and the timeline for implementation of the new scores.
- Delaying the implementation of the updated concordant and comparative scores by one year **provides this year's seniors – *who were in 10th grade in Spring 2020* – as many options as possible to meet their assessment graduation requirements.**
- This action is consistent with the compassion and grace that has been extended to Florida's students throughout the past two years.



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