



Rule 6A-1.09422: Establishing Alternative Assessment Graduation Pathways for ESOL Students

Rule Development Workshop

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Senate Bill (SB) 1108 (2021)

During the 2021 Legislative Session, s. 1003.433(3)(b), Florida Statutes (F.S.), was amended to require that, beginning with the 2022-23 school year, students who have been enrolled in an English Speakers of Other Languages (ESOL) program for less than two school years and have met all requirements for the standard high school diploma except for passage of the grade 10 English Language Arts (ELA) assessment requirement, may meet the grade 10 ELA assessment graduation requirement by **"satisfactorily demonstrating grade-level expectations on formative assessments, in accordance with state board rule."**



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Statutory Requirements

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Prior to the 2021 Legislative Session, all students – including those enrolled in an ESOL program for less than 2 years – were required to meet the grade 10 ELA assessment graduation requirement either by passing the grade 10 ELA assessment or earning a concordant score.

Section 1003.4282, F.S.

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

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



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Proposed Rule Amendment

Proposed Amendment to Rule 6A-1.09422, F.A.C.

- The proposed rule amendment will offer districts flexibility in selecting alternative methods available for students who have been enrolled in an ESOL program for less than two years to meet the grade 10 ELA assessment graduation requirement. Specifically, the current draft of the proposed rule includes two methods:
 1. In accordance with s. 1003.433(3)(a), F.S., the student can participate in immersive English language instruction during the summer following the student's senior year, culminating in the student retaking the required assessment or alternate assessment;
 2. The student can satisfactorily demonstrate grade-level expectations on a formative assessment. The proposed rule amendment provides general guidelines for what type of formative assessments may be used to meet this criteria.
- Districts will be required to report to FDOE the formative assessments they choose to use for this purpose and the score or metric that is used on the assessment to demonstrate that grade-level expectations have been met.

Proposed Amendment to Rule 6A-1.09422, F.A.C.

The proposed rule amendment provides general guidelines for what type of formative assessments may be used to meet this criteria:

(12)(c) Formative assessments that may be used for this purpose are:

1. Benchmark assessments included as part of an instructional materials adoption;
2. Portfolios of independently-produced student work; and
3. Assessments developed or purchased by districts in order to monitor academic progress,

(d) A portfolio used to meet the requirements of this subsection must meet the following criteria:

1. Be selected by the student's teacher;
2. Be an accurate picture of the student's ability and only include student work that has been independently produced in the classroom;
3. Include evidence that the standards assessed by the grade 10 statewide, standardized assessment in English Language Arts have been met., and such evidence may include chapter or unit tests from the district's/school's adopted core reading curriculum that are aligned with the Language Arts content standards, or teacher-prepared assessments;
4. Be an organized collection of evidence of the student's mastery of the Language Arts content standards that are assessed by the grade 10 statewide, standardized assessment in English Language Arts; and
5. Be signed by the teacher and the principal as an accurate assessment of the required skills.

(e) By October 1st of each year, districts must report to the Department of Education the formative assessments they are using for this purpose and the score or metric that is used on the assessment to demonstrate that grade-level expectations have been met.

Thank you!

We appreciate your interest in the rule amendment process. We invite you to provide your feedback on the proposed alternative pathways by which students who have been enrolled in an ESOL program for less than two years can meet their ELA assessment graduation requirement.

To provide feedback on this rule development, please go to <https://www.surveymonkey.com/r/6A-1-09422>.



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