



# Florida Department of Education Issues Emergency Order

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## **Florida Department of Education Issues Emergency Order**

*Builds on previous orders that provide options and flexibility*

**Tallahassee, Fla.** - Today, the Florida Department of Education (FDOE) issued Emergency Order 2021-EO-02. This order builds on previous FDOE Orders 2020-EO-06 and 2020-EO-07, which created conditions for the successful reopening of all the state's public schools, and 2021-EO-01, which expanded the statewide testing windows to ensure that every student can safely complete their state assessments.

"Over the past year and beyond, Florida has led on prioritizing the education and wellbeing of our state's students," **said Governor Ron DeSantis**. "This emergency order will empower students, families and teachers with data on students' progress and growth and provide them with the necessary tools to create the best educational experience for each individual."

"Similar to last year, this Emergency Order protects our high school seniors and empowers local school districts and schools to make the important decisions on graduation, promotion and whether to opt-in to school grades and improvement ratings," **said Commissioner of Education Richard Corcoran**. "This is the ultimate flexibility and reinforces the compassion and grace we have used throughout this pandemic in making these decisions. I also want to thank our courageous and dedicated educators and school leaders who have made this school year so successful for our students and local communities."

FDOE Emergency Order 2021-EO-02 provides the following:

- Districts and schools can opt-in, at their discretion, on a case-by-case basis, to school grades or improvement ratings for each individual school.
- Calculation of learning gains and middle school acceleration for school grades will be based on growth of two school years, rather than one, due to the cancellation of tests in Spring 2020.

- For districts and schools not opting in, school grades and school improvement ratings would not be automatically calculated and released for the 2020-2021 school year.
- Allows districts and schools flexibility to determine on a case-by-case basis if a senior's high school record demonstrates a comparable level of achievement to state assessments.
- Allows districts and schools local discretion to determine promotion and course grade decisions, including courses that require end-of-course (EOC) exams.
- Provides two types of compassion and grace to high school seniors who are on track, but have yet to earn a Bright Futures Florida Academic Scholars, Florida Medallion Scholars, Florida Gold Seal Vocational Scholars or Florida Gold Seal CAPE Scholars award:
- Extends deadlines to earn qualifying test scores to December 1, 2021 (ACT, SAT and PERT for Florida Gold Seal Vocational Scholars); and
- Forgives volunteer hour requirements for students who intended to complete the service hours prior to graduation, but through no fault of their own had a lack of access to volunteer opportunities.
- Allows local districts to make decisions regarding the optional use of VAM data as part of the "performance of students" component in a teacher's evaluation.
- Provides permission for early learning coalitions to use unspent funds, which would otherwise normally exceed the statutory thresholds allowed for non-direct services, to be utilized as long as these funds are used to provide direct supports to early learning childcare providers.
- Allows VPK providers, especially school districts with shortened summer periods, to provide no less than 200 hours of summer VPK, suspending the law requiring 300 hours.

In addition, FDOE today submitted its request for a waiver from federal requirements resulting from ongoing challenges related to the COVID-19 pandemic. On February 22, the United States Department of Education (USED) invited states to request waivers of certain provisions of the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act, for the 2020-2021 school year.

On March 17, 2021, FDOE posted a draft waiver and accepted public comment through March 31. During that time, 777 emails and 11 letters of support were received, with most addressing the waiver indicating favorable support. The State Board of Education, at its March 17, 2021, meeting, expressed support for the waiver, and the Florida Association of District School Superintendents also voiced its collective support for the waiver.

"This waiver application, as well as this Emergency Order, puts the interests of Florida students, educators and schools first and foremost," **said Pinellas County Schools Superintendent Dr. Michael Grego**. "Thank you to Governor DeSantis and Commissioner Corcoran and the Department of Education for the ongoing collaboration and seeking the advice and guidance from our state's superintendents."

Specifically, if approved, Florida would not be required to:

- Implement and report the results of the state's accountability system;
- Calculate progress toward long-term goals and measurements of interim progress or indicators;
- Meaningfully differentiate among public schools using data from the 2020-2021 school year;
- Account for an assessment participation rate below 95 percent; and

- Identify schools for comprehensive support and improvement, targeted support and improvement, and additional targeted support and improvement based on data from the 2020-2021 school year.

Florida would still be required to:

- Continue to support previously identified schools in the 2021-2022 school year;
- Resume school identification in the fall of 2022; and
- Publically report the percentage of students, by subgroup, not assessed and the percentage chronically absent.

The waiver application does not exempt Florida from state accountability requirements. The results of state assessments are crucial to help identify students who need specialized supports, help teachers tailor their instructional delivery to support individual student needs, and ensure equity in opportunity and closing achievement gaps for millions of Florida's at-risk students.

For the most up-to-date data, FDOE will report school performance data, disaggregated by student subgroups, at [www.knowyourschoolsfl.org](http://www.knowyourschoolsfl.org).

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