

**STATE OF FLORIDA
DEPARTMENT OF EDUCATION**

IN RE: WAIVING STRICT
ADHERENCE TO THE FLORIDA
EDUCATION CODE, AS SPECIFIED
HEREIN, PURSUANT TO
EXECUTIVE ORDER NUMBER 20-
52, MADE NECESSARY BY THE
COVID-19 PUBLIC HEALTH
EMERGENCY

DOE ORDER NO. 2021-EO-01

EMERGENCY ORDER

WHEREAS, the Governor of the State of Florida issued Executive Order No. 20-316, ratifying and reaffirming Executive Order No. 20-52, declaring a state of emergency in response to the COVID-19 Public Health Emergency; and,

WHEREAS, in Florida Division of Emergency Management Order No. 20-004, the State Coordinating Officer directed the Florida Department of Education in coordination with educational providers to take all appropriate action to promote the health, safety, welfare and education of Florida's students during the emergency; and,

WHEREAS, the Commissioner of Education issued DOE Order No. 2020-EO-07 to build on the successful reopening of all public schools to in-person instruction; to promote parental choice while ensuring that every student is making adequate academic progress; to provide financial continuity to enable each school district to maintain the full panoply of services for the benefit of Florida students and families, including students from vulnerable populations such as low-income families, migrant families, the homeless, English Language Learners, students in foster care and students with disabilities; and to empower every district to maintain high-quality school choices for Florida students and families with a focus on eliminating achievement gaps, which have been exacerbated by the crisis; and

WHEREAS, thanks to Florida's courageous and dedicated educators and local school leaders, all 67 county school districts, all state university laboratory schools and the Florida School for the Deaf and the Blind opened for in-person instruction so that nearly 65% of Florida's public school students (approximately 1.85 million) are learning in-person; and,

WHEREAS, with disproportionate numbers of educationally disadvantaged students learning off-campus or not attending school at all, and achievement gaps potentially being exacerbated, the testing that is required by state and federal law is now more critical than ever so that educators and parents can measure progress and determine what additional services and supports are needed to ensure that each student is given the services and supports they need to succeed in life.

NOW, THEREFORE, I, Richard Corcoran, Commissioner of the Florida Department of Education (Department), pursuant to the authority granted by Executive Order 20-52 and Florida Division of Emergency Management Order No. 20-004, issue this Order to provide school districts with expanded statewide testing windows to ensure that every student can be safely tested.

Modified Spring 2021 Testing Windows

Sections 1008.22(7), Florida Statutes, is suspended to the extent necessary to adopt the following modified testing windows for the spring of 2021 for paper-based testing (PBT) and computer-based testing (CBT) for the Florida Standards Assessments and NGSSS Assessments:

Assessment	Extended Schedule (+2 weeks for each Subject)
Grade 3 English Language Arts (ELA) Reading (PBT)	April 5–30
Grades 4–10 Writing (PBT and CBT)	April 5–30
Grades 4–6 ELA , 3–6 Math, grades 5 and 8 Science (PBT)	May 3–28
Grades 7–10 ELA/Math, EOCs (CBT)	May 3–June 11

With this modification and extension of the spring 2021 testing windows, the release of results will occur later than the statutory deadlines. The results of the Grade 3 ELA assessment will be made available no later than June 30, and the results of the remaining assessments will be made available no later than July 31.

Limited Local Flexibility

The testing windows set out above represent continued collaboration with and input from Florida’s school district superintendents and the Department’s best efforts to provide every school district with the flexibility needed to safely administer all required assessments while minimizing the impact on instructional hours. Superintendents may request additional scheduling flexibility from the Department in writing. The Department will use best efforts to respond to all such requests within five days.

Effective Date

This Order is effective immediately, and shall remain effective through the 2021 summer semester, unless extended by a subsequent emergency order.

DONE AND ORDERED this _____ day of February 2021, in Tallahassee, Leon County, Florida.

 Richard Corcoran
 Commissioner of Education

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I HEREBY CERTIFY that the above EMERGENCY ORDER has been filed with the Agency Clerk of the Department of Education, on this _____ day of February 2021.

Agency Clerk