

By Representative Merchant

1                                   A bill to be entitled  
 2           An act relating to education; amending s.  
 3           232.245, F.S.; revising provisions relating to  
 4           a district's comprehensive program for pupil  
 5           progression; requiring remedial instruction and  
 6           retention of students who have not met  
 7           district-required and state-required levels of  
 8           proficiency; providing reporting requirements;  
 9           authorizing exemption from retention  
 10          requirements; amending s. 232.2454, F.S.;  
 11          revising provisions relating to student  
 12          performance standards, instruments, and  
 13          assessment procedures; providing an effective  
 14          date.

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 16 Be It Enacted by the Legislature of the State of Florida:

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 18           Section 1. Section 232.245, Florida Statutes, is  
 19 amended to read:

20           232.245 Pupil progression; remedial instruction;  
 21 reporting requirements.--

22           (1) It is the intent of the Legislature that each  
 23 student's progression from one grade to another be determined,  
 24 in part, upon proficiency in reading, writing, and  
 25 mathematics; that school district policies facilitate such  
 26 proficiency; and that each student and his or her parent or  
 27 legal guardian be informed of that student's academic  
 28 progress.

29           (2)~~(1)~~ Each district school board shall establish a  
 30 comprehensive program for pupil progression which must  
 31 include:

1           (a) Standards for evaluating ~~shall be based upon an~~  
2 ~~evaluation of~~ each pupil's performance, including how well he  
3 or she masters the performance standards approved by the state  
4 board according to s. 229.565;-

5           (b) Specific levels of performance in reading,  
6 writing, and mathematics for each grade level, including the  
7 levels of performance on statewide assessments at selected  
8 grade levels in elementary school, middle school, and high  
9 school as defined by the Commissioner of Education, below  
10 which a student must receive remediation and may be retained;-

11           (c)(2) ~~The district program for pupil progression~~  
12 ~~shall be based upon~~ Local goals and objectives that ~~which~~ are  
13 compatible with the state's plan for education, the state's  
14 education goals according to s. 229.591, and student  
15 performance standards for grades prekindergarten through 12;-

16           (d) Pertinent factors to be considered by the teacher  
17 before recommending that a pupil progress from one grade to  
18 another; ~~and shall be prescribed by the district school board~~  
19 ~~in its rules.~~

20           (e)(3) Procedures ~~Each district comprehensive program~~  
21 ~~for pupil progression shall reflect an effort to identify~~  
22 students at each grade level in grades 9 through 12 who have  
23 attained a cumulative grade point average of 2.0 ~~1.5~~ or below  
24 ~~and. The program shall further include~~ provisions for  
25 assisting such students to achieve the ~~1.5~~ cumulative grade  
26 point average required for graduation pursuant to s. 232.246.

27           (3) Each student must participate in the statewide  
28 assessment tests required by s. 229.57. Each student who does  
29 not meet specific levels of performance as determined by the  
30 district school board in reading, writing, and mathematics for  
31 each grade level, or who does not meet specific levels of

1 performance, determined by the Commissioner of Education, on  
2 statewide assessments at selected grade levels, must be  
3 provided with additional diagnostic assessments to determine  
4 the nature of the student's difficulty and areas of academic  
5 need. The school in which the student is enrolled must  
6 develop, in consultation with the student's parent or legal  
7 guardian, and implement an academic improvement plan designed  
8 to assist the student in meeting state and district  
9 expectations for proficiency. Each plan must include the  
10 provision of intensive remedial instruction in the areas of  
11 weakness through one or more of the following activities, as  
12 considered appropriate by the school administration:  
13       (a) Summer school coursework;  
14       (b) Extended day services;  
15       (c) Parent tutorial programs;  
16       (d) Contracted academic services;  
17       (e) Exceptional education services; or  
18       (f) Suspension of curriculum other than reading,  
19 writing, and mathematics. Remedial instruction provided during  
20 high school may not be in lieu of English and mathematics  
21 credits required for graduation.  
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23 Upon subsequent evaluation, if the documented deficiency has  
24 not been corrected in accordance with the academic improvement  
25 plan, the student may be retained. Each student who does not  
26 meet the minimum performance expectations defined by the  
27 Commissioner of Education for the statewide assessment tests  
28 in reading, writing, and mathematics must retake the state  
29 assessment test in the subject area of deficiency and must  
30 continue remedial instruction until the expectations are met  
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1 or the student graduates from high school or is not subject to  
2 compulsory school attendance.

3 (4) Any student who exhibits substantial deficiency in  
4 reading skills, based on locally determined assessments  
5 conducted before the end of grade 1, grade 2, and grade 3, or  
6 based on teacher recommendation, must be given intensive  
7 reading instruction immediately following the identification  
8 of the reading deficiency. The student's reading proficiency  
9 must be reassessed by locally determined assessment or based  
10 on teacher recommendation at the beginning of the grade  
11 following the intensive reading instruction, and the student  
12 must continue to be given intensive reading instruction until  
13 the reading deficiency is remedied. If the student's reading  
14 deficiency, as determined by the locally determined  
15 assessment, is not remedied by the end of grade 2 or grade 3,  
16 or if the student scores below the specific level of  
17 performance, determined by the Commissioner of Education, on  
18 the statewide assessment test in reading and writing given in  
19 elementary school, the student must be retained. The  
20 Commissioner of Education may exempt a student from mandatory  
21 retention for good cause.

22 (5) Each district must annually report to the parent  
23 or legal guardian of each student the progress of the student  
24 towards achieving state and district expectations for  
25 proficiency in reading, writing, and mathematics. The district  
26 must report to the parent or legal guardian the student's  
27 results on each statewide assessment test. The evaluation of  
28 each student's progress must be based upon the student's  
29 classroom work, observations, tests, district and state  
30 assessments, and other relevant information. Progress

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1 reporting must be provided to the parent or legal guardian in  
2 writing in a format adopted by the district school board.

3 (6) The Commissioner of Education shall adopt rules  
4 necessary for the administration of this section.

5 (7) The Department of Education shall provide  
6 technical assistance as needed to aid school districts in  
7 administering this section.

8 Section 2. Section 232.2454, Florida Statutes, is  
9 amended to read:

10 232.2454 District student performance standards,  
11 instruments, and assessment procedures.--

12 ~~(1) The State Board of Education shall adopt rules to~~  
13 ~~authorize~~ School districts are required to obtain or develop  
14 and implement assessments of student achievement as necessary  
15 to accurately measure student progress and to report this  
16 progress to parents or legal guardians according to s. 232.245  
17 ~~in each major subject area or major area of study approved by~~  
18 ~~the state board and to annually report the results of such~~  
19 ~~assessments to the state board.~~ Each school district shall  
20 implement the assessment program pursuant to the procedures it  
21 adopts.

22 (2) Each district school board shall adopt student  
23 performance standards for each academic program in grades 9  
24 through 12 for which credit toward high school graduation is  
25 awarded. The board shall also establish policies as to  
26 student mastery of performance standards before credit for a  
27 program may be awarded. Teacher observations, classroom  
28 assignments, and examinations may be considered appropriate  
29 methods of assessing student mastery.

30 ~~(3) The Department of Education shall review and make~~  
31 ~~appropriate recommendations for improvement of the student~~

1 ~~performance standards and policies adopted by the district~~  
2 ~~relating to passage for credit during each compliance and~~  
3 ~~program performance audit.~~

4 ~~(4) The department shall provide technical assistance~~  
5 ~~as needed in order to aid district school boards in complying~~  
6 ~~with this section.~~

7 ~~(5) Effective July 1, 1985, student performance~~  
8 ~~standards must be incorporated in the pupil progression plan~~  
9 ~~for students in grades 9 through 12 in order for the district~~  
10 ~~to receive funding through the Florida Education Finance~~  
11 ~~Program.~~

12 Section 3. This act shall take effect July 1, 1997.

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15 LEGISLATIVE SUMMARY

16 Revises provisions relating to a school district's  
17 comprehensive program for pupil progression. Requires  
18 remedial instruction for students who do not meet certain  
19 levels of proficiency. Requires retention of certain  
20 students who exhibit substantial reading deficiency.  
21 Requires student progress reports. Revises provisions  
22 relating to student performance standards, instruments,  
23 and assessment procedures.  
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