

By Representative Crow

1 A bill to be entitled
2 An act relating to the student assessment
3 program; amending s. 229.57, F.S.; requiring a
4 biannual review of the design of the
5 achievement testing program; requiring school
6 performance grade category designations to be
7 based on at least 2 consecutive years of
8 performance; requiring student achievement
9 levels to be statistically adjusted according
10 to a school's socioeconomic status; deleting
11 certain factors for determining school
12 performance grade categories; providing
13 additional factors for determining school
14 performance grade categories; revising student
15 assessment data used to determine school
16 performance grade categories; requiring
17 performance on measures used to determine the
18 school's performance rating to be reported to
19 parents and to the state annually; requiring
20 the effects of socioeconomic status on student
21 performance on standardized tests to be
22 included when using recognized approaches to
23 statistical variance and estimating random
24 effects; requiring items included in the
25 assessments to be examined annually by
26 unbiased, independent reviewers to determine
27 that the assessments measure mastery of the
28 Sunshine State Standards and that performance
29 on the assessments are not influenced by
30 external factors; providing an effective date.
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1 Be It Enacted by the Legislature of the State of Florida:

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3 Section 1. Paragraph (c) of subsection (3), subsection
4 (8), subsection (10), and paragraph (f) of subsection (11) of
5 section 229.57, Florida Statutes, are amended, and paragraph
6 (j) is added to subsection (11), to read:

7 229.57 Student assessment program.--

8 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner
9 shall design and implement a statewide program of educational
10 assessment that provides information for the improvement of
11 the operation and management of the public schools, including
12 schools operating for the purpose of providing educational
13 services to youth in Department of Juvenile Justice programs.
14 Pursuant to the statewide assessment program, the commissioner
15 shall:

16 (c) Develop and implement a student achievement
17 testing program as part of the statewide assessment program,
18 to be administered annually in grades 3 through 10 to measure
19 reading, writing, science, and mathematics. The testing
20 program must be designed so that:

21 1. The tests measure student skills and competencies
22 adopted by the state board as specified in paragraph (a). The
23 tests must measure and report student proficiency levels in
24 reading, writing, and mathematics. Science proficiency must be
25 measured statewide beginning in 2003. Other content areas may
26 be included as directed by the commissioner. ~~The commissioner~~
27 ~~shall provide for the tests to be developed or obtained, as~~
28 ~~appropriate, through contracts and project agreements with~~
29 ~~private vendors, public vendors, public agencies,~~
30 ~~postsecondary institutions, or school districts. The~~
31 ~~commissioner shall obtain input with respect to the design and~~

1 ~~implementation of the testing program from state educators and~~
2 ~~the public.~~

3 2. The tests are a combination of norm-referenced and
4 criterion-referenced and include, to the extent determined by
5 the commissioner, items that require the student to produce
6 information or perform tasks in such a way that the skills and
7 competencies he or she uses can be measured.

8 3. Each testing program, whether at the elementary,
9 middle, or high school level, includes a test of writing in
10 which students are required to produce writings which are then
11 scored by appropriate methods.

12 4. A score is designated for each subject area tested,
13 below which score a student's performance is deemed
14 inadequate. The school districts shall provide appropriate
15 remedial instruction to students who score below these levels.

16 5. Except as provided in subparagraph 6., all 11th
17 grade students take a high school competency test developed by
18 the state board to test minimum student performance skills and
19 competencies in reading, writing, and mathematics. The test
20 must be based on the skills and competencies adopted by the
21 state board pursuant to paragraph (a). Upon recommendation of
22 the commissioner, the state board shall designate a passing
23 score for each part of the high school competency test. In
24 establishing passing scores, the state board shall consider
25 any possible negative impact of the test on minority students.
26 The commissioner may establish criteria whereby a student who
27 successfully demonstrates proficiency in either reading or
28 mathematics or both may be exempted from taking the
29 corresponding section of the high school competency test or
30 the college placement test. A student must earn a passing
31 score or have been exempted from each part of the high school

1 competency test in order to qualify for a regular high school
2 diploma. The school districts shall provide appropriate
3 remedial instruction to students who do not pass part of the
4 competency test.

5 6. Students who enroll in grade 9 in the fall of 1999
6 and thereafter must earn a passing score on the grade 10
7 assessment test described in this paragraph instead of the
8 high school competency test described in subparagraph 5. Such
9 students must earn a passing score in reading, writing, and
10 mathematics to qualify for a regular high school diploma. Upon
11 recommendation of the commissioner, the state board shall
12 designate a passing score for each part of the grade 10
13 assessment test. In establishing passing scores, the state
14 board shall consider any possible negative impact of the test
15 on minority students.

16 7. Participation in the testing program is mandatory
17 for all students, including students served in Department of
18 Juvenile Justice programs, except as otherwise prescribed by
19 the commissioner. The commissioner shall recommend rules to
20 the state board for the provision of test adaptations and
21 modifications of procedures as necessary for students in
22 exceptional education programs and for students who have
23 limited English proficiency.

24 8. A student seeking an adult high school diploma must
25 meet the same testing requirements that a regular high school
26 student must meet.

27 9. School districts must provide instruction to
28 prepare students to demonstrate proficiency in the skills and
29 competencies necessary for successful grade-to-grade
30 progression and high school graduation. The commissioner shall
31 conduct studies as necessary to verify that the required

1 skills and competencies are part of the district instructional
2 programs.

3 10. By January 1, 2000, the Department of Education
4 must develop, or select, and implement a common battery of
5 assessment tools which will be used in all juvenile justice
6 programs in the state. These tools must accurately reflect
7 criteria established in the Florida Sunshine State Standards.

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9 The commissioner may design and implement student testing
10 programs for any grade level and subject area, based on
11 procedures designated by the commissioner to monitor
12 educational achievement in the state. The commissioner shall
13 provide for the tests to be developed or obtained, as
14 appropriate, through contracts and project agreements with
15 private vendors, public vendors, public agencies,
16 postsecondary institutions, or school districts. The
17 commissioner shall obtain input with respect to the design and
18 implementation of the testing program from state educators and
19 the public. Assessment experts, including school district
20 personnel, shall biannually review the design of the
21 achievement testing program and submit to the commissioner
22 recommended revisions necessary to ensure fairness and
23 accuracy for all intended uses of the tests. The commissioner
24 shall report these findings and recommend revisions to the
25 design of the testing program to the State Board of Education
26 within 90 days after receipt of the review.

27 (8) DESIGNATION OF SCHOOL PERFORMANCE GRADE
28 CATEGORIES.--School performance grade category designations
29 itemized in subsection (7) shall be based on the following:

30 (a) Timeframes.--

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- 1 1. School performance grade category designations
2 shall be based on at least 2 consecutive ~~one~~ school years ~~year~~
3 of performance, when such data is available.
- 4 2. In school years 1998-1999 and 1999-2000, a school's
5 performance grade category designation shall be determined by
6 the student achievement levels on the FCAT, as statistically
7 adjusted according to the school's socioeconomic status ~~and on~~
8 ~~other appropriate performance data, including, but not limited~~
9 ~~to, attendance, dropout rate, school discipline data, and~~
10 ~~student readiness for college, in accordance with state board~~
11 ~~rule.~~
- 12 3. Beginning with the 2000-2001 school year, a
13 school's performance grade category designation shall be based
14 on a combination of student achievement scores as measured by
15 the FCAT, as statistically adjusted for a school's
16 socioeconomic status ~~and on the degree of measured learning~~
17 ~~gains of the students, in accordance with state board rule~~ ~~and~~
18 ~~on other appropriate performance data, including, but not~~
19 ~~limited to, attendance, dropout rate, school discipline data,~~
20 ~~and student readiness for college.~~
- 21 4. Beginning with the 2001-2002 school year and
22 thereafter, a school's performance grade category designation
23 shall be based on student learning gains as measured by annual
24 FCAT assessments in grades 3 through 10, as statistically
25 adjusted for the school's socioeconomic status, and measures
26 of parent satisfaction regarding school safety, quality of
27 education, and student attitudes toward learning, according to
28 state board rule ~~and on other appropriate performance data,~~
29 ~~including, but not limited to, attendance, dropout rate,~~
30 ~~school discipline data, cohort graduation rate, and student~~
31 ~~readiness for college.~~

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2 For the purpose of implementing ss. 229.0535 and 229.0537, if
3 any of the four schools that were identified as critically low
4 performing, based on both 1996-1997 and 1997-1998 school
5 performance data and state board adopted criteria, receives a
6 performance grade category designation of "F," based on
7 1998-1999 school performance data, that school shall be
8 considered as having failed to make adequate progress for 2
9 years in a 4-year period. All other schools that receive a
10 performance grade category designation of "F," based on
11 1998-1999 school performance data, shall be considered as
12 having failed to make adequate progress for 1 year.

13 (b) Student assessment data.--Student assessment data
14 used in determining school performance grade categories shall
15 include:

16 1. The average of the difference between the score
17 earned by a student on the FCAT and his or her most recent
18 previous score in that same subject area ~~The median scores of~~
19 ~~all eligible students enrolled in the school who have been~~
20 ~~assessed on the FCAT.~~

21 2. The percentage of the student population that is
22 eligible to be served free and reduced price meals ~~The median~~
23 ~~scores of all eligible students enrolled in the school who~~
24 ~~have been assessed on the FCAT and who have scored at or in~~
25 ~~the lowest 25th percentile of the state in the previous school~~
26 ~~year.~~

27 3. The average of the most recent student test scores
28 on the FCAT for each subject.

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30 The Department of Education shall study the effects of
31 mobility on the performance of highly mobile students and

1 recommend programs to improve the performance of such
2 students. The state board shall adopt appropriate criteria for
3 each school performance grade category. The criteria must also
4 give added weight to student achievement in reading. Schools
5 designated as performance grade category "C," making
6 satisfactory progress, shall be required to demonstrate that
7 adequate progress has been made by students who have scored
8 among the lowest 25 percent of students in the state as well
9 as by the overall population of students in the school.

10 (10) SCHOOL PERFORMANCE GRADE CATEGORY AND IMPROVEMENT
11 RATING REPORTS.--School performance grade category
12 designations and improvement ratings shall apply to each
13 school's performance for the year in which performance is
14 measured. Each school's designation, school improvement
15 rating, and performance on measures used to determine the
16 school's performance rating ~~and rating~~ shall be published
17 annually by the Department of Education and the school
18 district. Parents and guardians shall be entitled to an
19 easy-to-read report card about the designation and rating of
20 the school in which their child is enrolled.

21 (11) STATEWIDE ASSESSMENTS.--The Department of
22 Education is authorized, subject to appropriation, to
23 negotiate a multiyear contract for the development, field
24 testing, and implementation of annual assessments of students
25 in grades 3 through 10. Such assessments must comply with the
26 following criteria:

27 (f) The statistical system shall provide for an
28 approach which provides for best linear unbiased prediction
29 for the teacher, school, and school district effects on pupil
30 progress. These estimates should adequately be able to
31 determine effects of and compare teachers who teach multiple

1 subjects to the same groups of students, and team teaching
2 situations where teachers teach a single subject to multiple
3 groups of students, or other teaching situations as
4 appropriate.

5 1. The department, in consultation with the Office of
6 Program Policy Analysis and Government Accountability, and
7 other sources as appropriate, including school district
8 personnel, shall use recognized approaches to statistical
9 variance and estimating random effects, including the effects
10 of socioeconomic status on student performance on standardized
11 tests, such as the FCAT.

12 2. The approach used by the department shall be
13 approved by the State Board of Education before implementation
14 for pupil progression assessment.

15 (j) Items included in the assessments shall be
16 examined annually by unbiased, independent reviewers to
17 determine that the assessments measure mastery of the Sunshine
18 State Standards and that performance on the assessments are
19 not influenced by external factors.

20 Section 2. This act shall take effect July 1, 2000.

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HOUSE SUMMARY

Revises the student assessment program in the following ways: requires a biannual review of the design of the achievement testing program; requires school performance grade category designations to be based on at least 2 consecutive years of performance; requires student achievement levels to be statistically adjusted according to a school's socioeconomic status; deletes certain factors for determining school performance grade categories; provides additional factors for determining school performance grade categories; revises student assessment data used to determine school performance grade categories; requires performance on measures used to determine the school's performance rating to be reported to parents and to the state annually; requires the effects of socioeconomic status on student performance on standardized tests to be included when using recognized approaches to statistical variance and estimating random effects; and requires items included in the assessments to be examined annually by unbiased, independent reviewers to determine that the assessments measure mastery of the Sunshine State Standards and that performance on the assessments are not influenced by external factors.