

By Senator Mitchell

4-210A-01

1                                   A bill to be entitled  
2           An act relating to education; amending s.  
3           229.57, F.S., relating to the statewide student  
4           assessment program; providing that only  
5           continuously enrolled students are to be  
6           included in determining school performance  
7           grades; providing that a school's exceeding  
8           state averages for attendance, parental  
9           involvement, or dropout rates will increase the  
10          school's grade; providing weighted factors that  
11          must be used in determining a school's  
12          performance grade category; providing an  
13          effective date.

14  
15 Be It Enacted by the Legislature of the State of Florida:

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17           Section 1. Subsections (3), (7), and (8) of section  
18          229.57, Florida Statutes, are amended to read:

19           229.57 Student assessment program.--

20           (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner  
21          shall design and implement a statewide program of educational  
22          assessment that provides information for the improvement of  
23          the operation and management of the public schools, including  
24          schools operating for the purpose of providing educational  
25          services to youth in Department of Juvenile Justice programs.  
26          Pursuant to the statewide assessment program, the commissioner  
27          shall:

28           (a) Submit to the state board a list that specifies  
29          student skills and competencies to which the goals for  
30          education specified in the state plan apply, including, but  
31          not limited to, reading, writing, science, and mathematics.

1 The skills and competencies must include problem-solving and  
2 higher-order skills as appropriate and shall be known as the  
3 Sunshine State Standards. The commissioner shall select such  
4 skills and competencies after receiving recommendations from  
5 educators, citizens, and members of the business community.  
6 The commissioner shall submit to the state board revisions to  
7 the list of student skills and competencies in order to  
8 maintain continuous progress toward improvements in student  
9 proficiency.

10 (b) Develop and implement a uniform system of  
11 indicators to describe the performance of public school  
12 students and the characteristics of the public school  
13 districts and the public schools. These indicators must  
14 include, without limitation, information gathered by the  
15 comprehensive management information system created pursuant  
16 to s. 229.555 and student achievement information obtained  
17 pursuant to this section.

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

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

1 postsecondary institutions, or school districts. The  
2 commissioner shall obtain input with respect to the design and  
3 implementation of the testing program from state educators and  
4 the public.

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

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

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

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

1 the college placement test. A student must earn a passing  
2 score or have been exempted from each part of the high school  
3 competency test in order to qualify for a regular high school  
4 diploma. The school districts shall provide appropriate  
5 remedial instruction to students who do not pass part of the  
6 competency test.

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

18           7. Participation in the testing program is mandatory  
19 for all students, including students served in Department of  
20 Juvenile Justice programs, except as otherwise prescribed by  
21 the commissioner. The commissioner shall recommend rules to  
22 the state board for the provision of test adaptations and  
23 modifications of procedures as necessary for students in  
24 exceptional education programs and for students who have  
25 limited English proficiency. Only those students who are  
26 continuously enrolled in a single public school after October  
27 1 of the assessment school year are to be included in the  
28 statewide assessment for purposes of determining school  
29 performance grades as required under paragraph (8)(b).  
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1           8. A student seeking an adult high school diploma must  
2 meet the same testing requirements that a regular high school  
3 student must meet.

4           9. School districts must provide instruction to  
5 prepare students to demonstrate proficiency in the skills and  
6 competencies necessary for successful grade-to-grade  
7 progression and high school graduation. The commissioner shall  
8 conduct studies as necessary to verify that the required  
9 skills and competencies are part of the district instructional  
10 programs.

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

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17 The commissioner may design and implement student testing  
18 programs for any grade level and subject area, based on  
19 procedures designated by the commissioner to monitor  
20 educational achievement in the state.

21           (d) Conduct ongoing research to develop improved  
22 methods of assessing student performance, including, without  
23 limitation, the use of technology to administer tests, the use  
24 of electronic transfer of data, the development of  
25 work-product assessments, and the development of process  
26 assessments.

27           (e) Conduct ongoing research and analysis of student  
28 achievement data, including, without limitation, monitoring  
29 trends in student achievement, identifying school programs  
30 that are successful, and analyzing correlates of school  
31 achievement.

1 (f) Provide technical assistance to school districts  
2 in the implementation of state and district testing programs  
3 and the use of the data produced pursuant to such programs.

4 (7) SCHOOL PERFORMANCE GRADE CATEGORIES.--Beginning  
5 with the 1998-1999 school year's student and school  
6 performance data, the annual report shall identify schools as  
7 being in one of the following grade categories defined  
8 according to rules of the state board:

9 (a) "A," schools making excellent progress.

10 (b) "B," schools making above average progress.

11 (c) "C," schools making satisfactory progress.

12 (d) "D," schools making less than satisfactory  
13 progress.

14 (e) "F," schools failing to make adequate progress.  
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16 Beginning in the 1999-2000 school year, each school designated  
17 in performance grade category "A," making excellent progress,  
18 or as having improved at least two performance grade  
19 categories, shall have greater authority over the allocation  
20 of the school's total budget generated from the FEFP, state  
21 categoricals, lottery funds, grants, and local funds, as  
22 specified in state board rule. The rule must provide that the  
23 increased budget authority shall remain in effect until the  
24 school's performance grade declines. Beginning in the  
25 2000-2001 school year, a school in grade categories "A"  
26 through "D" which exceeds statewide averages in the areas of  
27 attendance, parental involvement, or dropout rate shall have a  
28 1/2-point weight equal to a "+" added to its grade.

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

1 (a) Timeframes.--

2 1. School performance grade category designations  
3 shall be based on one school year of performance.

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, and on other~~  
7 ~~appropriate performance data, including, but not limited to,~~  
8 ~~attendance, dropout rate, school discipline data, and student~~  
9 ~~readiness for college, in accordance with state board rule.~~

10 2.3. In the 2000-2001 school year, a school's  
11 performance grade category designation shall be based on a  
12 combination of student achievement scores as measured by the  
13 FCAT, on the degree of measured learning gains of the  
14 students, and on other appropriate performance data,  
15 ~~including, but not limited to, dropout rate and student~~  
16 ~~readiness for college.~~ The weighted factors that must be used  
17 in the determination are as follows:

18 a. Elementary schools.--

19 (I) Sixty percent of the performance grade must be  
20 derived from a composite of the FCAT scores for grades 4 and 5  
21 and the percentage of kindergarten through grade 2 classes for  
22 which there is a ratio of 1 teacher to 20 students.

23 (II) Twenty percent of the performance grade must be  
24 derived from an assessment by the individual school advisory  
25 committee considering the progress toward the goals of the  
26 school improvement plan.

27 (III) Twenty percent of the performance grade must be  
28 derived from an assessment of parental involvement and school  
29 safety programs and initiatives, to be weighted at 10 percent  
30 each.

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1           (IV) A bonus to the total performance grade of up to 5  
2 percent must be awarded to a school for academic and  
3 nonacademic achievements not assessed by the FCAT and for  
4 percentages of teachers who have advanced certification or  
5 advanced degrees.

6           b. Middle schools.--

7           (I) Sixty percent of the performance grade must be  
8 derived from the FCAT scores for grade-8 FCAT scores.

9           (II) Twenty percent of the performance grade must be  
10 derived from an assessment by the individual school advisory  
11 committee considering the progress toward the goals of the  
12 school improvement plan.

13           (III) Twenty percent of the performance grade must be  
14 derived from an assessment of parental involvement and school  
15 safety programs and initiatives, to be weighted at 10 percent  
16 each.

17           (IV) A bonus to the total performance grade of up to 5  
18 percent must be awarded to a school for academic and  
19 nonacademic achievements not assessed by the FCAT and for  
20 percentages of teachers who have advanced certification or  
21 advanced degrees.

22           c. High schools.--

23           (I) Sixty percent of the performance grade must be  
24 derived from a composite of the grade 10 FCAT scores and the  
25 school's overall dropout and graduation rate, which must be  
26 weighted at 30 percent each.

27           (II) Twenty percent of the performance grade must be  
28 derived from an assessment by the individual school advisory  
29 committee considering the progress toward the goals of the  
30 school improvement plan.

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1           (III) Twenty percent of the performance grade must be  
2 derived from an assessment of parental involvement and school  
3 safety programs and initiatives, to be weighted at 10 percent  
4 each.

5           (IV) A bonus to the total performance grade of up to 5  
6 percent must be awarded to a school for academic and  
7 nonacademic achievements not assessed by the FCAT, for  
8 percentages of teachers who have advanced certification or  
9 advanced degrees, and for the total number of acceleration  
10 mechanisms available to students.

11           d. Standardized method.--The Department of Education  
12 shall determine and disseminate the standardized method by  
13 which school advisory committees shall make their assessments  
14 under this section, and the department shall determine a  
15 process for submission and assessment of bonus-point  
16 documentation.

17           3. Beginning with the 2001-2002 school year and  
18 thereafter, a school's performance grade category designation  
19 must be determined as follows:

20           a. Elementary schools.--

21           (I) Sixty percent of the performance grade must be  
22 derived from a composite of the FCAT scores for grades 3, 4,  
23 and 5 and the percentage of kindergarten through grade 2  
24 classes for which there is a ratio of 1 teacher to 20  
25 students.

26           (II) Twenty percent of the performance grade must be  
27 derived from an assessment by the individual school advisory  
28 committee considering the progress toward the goals of the  
29 school improvement plan.

30           (III) Twenty percent of the performance grade must be  
31 derived from an assessment of parental involvement and school

1 safety programs and initiatives, to be weighted at 10 percent  
2 each.

3 (IV) A bonus to the total performance grade of up to 5  
4 percent must be awarded to a school for academic and  
5 nonacademic achievements not assessed by the FCAT and for  
6 percentages of teachers who have advanced certifications or  
7 advanced degrees.

8 b. Middle schools.--

9 (I) Sixty percent of the performance grade must be  
10 derived from the FCAT scores for grades 6, 7, and 8, as  
11 appropriate.

12 (II) Twenty percent of the performance grade must be  
13 derived from an assessment by the individual school advisory  
14 committee considering the progress toward the goals of the  
15 school improvement plan.

16 (III) Twenty percent of the performance grade must be  
17 derived from an assessment of parental involvement and school  
18 safety programs and initiatives, to be weighted at 10 percent  
19 each.

20 (IV) A bonus to the total performance grade of up to 5  
21 percent must be awarded to a school for academic and  
22 nonacademic achievements not assessed by the FCAT and for  
23 percentages of teachers who have advanced certification or  
24 advanced degrees.

25 c. High schools.--

26 (I) Sixty percent of the performance grade must be  
27 derived from a composite of the FCAT scores for grades 9 and  
28 10, as appropriate, and the school's overall dropout and  
29 graduation rate, which must be weighted at 30 percent each.

30 (II) Twenty percent of the performance grade must be  
31 derived from an assessment by the individual school advisory

1 committee considering the progress toward the goals of the  
2 school improvement plan.

3 (III) Twenty percent of the performance grade must be  
4 derived from an assessment of parental involvement and school  
5 safety programs and initiatives, to be weighted at 10 percent  
6 each.

7 (IV) A bonus to the total performance grade of up to 5  
8 percent must be awarded to a school for academic and  
9 nonacademic achievements not assessed by the FCAT, for  
10 percentages of teachers who have advanced certification or  
11 advanced degrees, and for the total number of acceleration  
12 mechanisms available to students.

13 d. Standardized method.--The Department of Education  
14 shall determine and disseminate the standardized method by  
15 which school advisory committees shall make their assessments  
16 under this section, and the department shall determine a  
17 process for submission and assessment of bonus-point  
18 documentation.

19 4. Beginning in the 2000-2001 school year, a school  
20 that has been designated as performance grade category "F" in  
21 a prior school year shall not be designated as performance  
22 grade category "F" using the current year's data if that  
23 school has shown at least a 50-percent increase toward the  
24 baseline score in each subject area.

25 5. Beginning in the 2000-2001 school year, a school  
26 that is designated as performance grade category "A" shall  
27 retain its "A" designation as long as the school's performance  
28 on the FCAT and in the areas of attendance, parental  
29 involvement, and dropout rates remain within 5 percent of the  
30 previous year's performance level.

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1           ~~4. Beginning with the 2001-2002 school year and~~  
2 ~~thereafter, a school's performance grade category designation~~  
3 ~~shall be based on student learning gains as measured by annual~~  
4 ~~FCAT assessments in grades 3 through 10, and on other~~  
5 ~~appropriate performance data, including, but not limited to,~~  
6 ~~dropout rate, cohort graduation rate, and student readiness~~  
7 ~~for college.~~

8           (b) Student assessment data.--Student assessment data  
9 used in determining school performance grade categories shall  
10 include:

11           1. The median scores of all eligible students enrolled  
12 in the school who have been assessed on the FCAT.

13           2. The median scores of all eligible students enrolled  
14 in the school who have been assessed on the FCAT and who have  
15 scored at or in the lowest 25th percentile of the state in the  
16 previous school year.

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18 The Department of Education shall take into account ~~study~~ the  
19 effects of mobility on the performance of highly mobile  
20 students and recommend programs to improve the performance of  
21 such students. The state board shall adopt appropriate  
22 criteria for each school performance grade category. The  
23 criteria must also give added weight to student achievement in  
24 reading. Schools designated as performance grade category "C,"  
25 making satisfactory progress, shall be required to demonstrate  
26 that adequate progress has been made by students who have  
27 scored among the lowest 25 percent of students in the state as  
28 well as by the overall population of students in the school.

29           Section 2. This act shall take effect upon becoming a  
30 law.

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SENATE SUMMARY

Provides that only continuously enrolled students are to be included in determining school performance grades. Provides that a school's exceeding state averages for attendance, parental involvement, or dropout rates will increase the school's grade. States the factors that must be used in determining a school's performance grade category and the respective weight that is to be accorded each group of factors.