

By Representative Attkisson

1 A bill to be entitled
2 An act relating to student assessment; amending
3 s. 229.57, F.S.; revising provisions relating
4 to the designation of school performance grade
5 categories; revising the basis for such
6 designations; revising provisions relating to
7 statewide annual assessments; revising
8 provisions relating to the use of a statistical
9 system for assessment; requiring the
10 Commissioner of Education to establish a
11 schedule for administration of assessments;
12 reenacting ss. 230.23(16)(c), 231.085(4),
13 231.17(15), 231.29(3)(a), and 231.2905(4),
14 F.S., relating to supplements for teachers
15 based on assessment of student learning gains,
16 use of student assessment data, comparison of
17 routes to a professional certificate,
18 assessment procedures for school personnel, and
19 the School Recognition Program, to incorporate
20 the amendment to s. 229.57, F.S., in references
21 thereto; providing an effective date.

22
23 Be It Enacted by the Legislature of the State of Florida:

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25 Section 1. Subsection (8) and (11) of section 229.57,
26 Florida Statutes, are amended to read:

27 229.57 Student assessment program.--

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

31 (a) Timeframes.--

1 1. School performance grade category designations
2 shall be based on the school's current ~~one school~~ year of
3 performance and the school's annual learning gains.

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 ~~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.~~

17 ~~2.4.~~ Beginning with the 2001-2002 school year and
18 thereafter, a school's performance grade category designation
19 shall be based on a combination of student achievement scores,
20 student learning gains as measured by annual FCAT assessments
21 in grades 3 through 10, and improvement of the lowest
22 performing quartile of students in the school, and shall also
23 be based on other appropriate performance data, including, but
24 not limited to, dropout rate, cohort graduation rate, and
25 student readiness for college.

26 (b) Student assessment data.--Student assessment data
27 used in determining school performance grade categories shall
28 include:

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

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

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6 The Department of Education shall study the effects of
7 mobility on the performance of highly mobile students and
8 recommend programs to improve the performance of such
9 students. The state board shall adopt appropriate criteria for
10 each school performance grade category. The criteria must also
11 give added weight to student achievement in reading. Schools
12 designated as performance grade category "C," making
13 satisfactory progress, shall be required to demonstrate that
14 adequate progress has been made by students who have scored
15 among the lowest 25 percent of students in the state as well
16 as by the overall population of students in the school.

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

23 ~~(a) Assessments for each grade level shall be capable~~
24 ~~of measuring each student's mastery of the Sunshine State~~
25 ~~Standards for that grade level and above.~~

26 ~~(b) Assessments shall be capable of measuring the~~
27 ~~annual progress each student makes in mastering the Sunshine~~
28 ~~State Standards.~~

29 ~~(c) Assessments shall include measures in reading and~~
30 ~~mathematics in each grade level and must include writing and~~
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1 ~~science in grades 4, 8, and 10. Science assessment is to begin~~
2 ~~statewide in 2003.~~

3 ~~(d) Assessments shall be designed to protect the~~
4 ~~integrity of the data and prevent score inflation.~~

5 (a)(e) The statistical system for the annual
6 assessments shall use measures of student learning, such as
7 the FCAT, to determine teacher, school, and school district
8 statistical distributions, which ~~distributions:~~

9 ~~1.~~ shall be determined using available data from the
10 FCAT, and other data collection as deemed appropriate by the
11 Department of Education, to measure the differences in student
12 prior year achievement against the current year achievement ~~or~~
13 ~~lack thereof, such that the "effects" of instruction to a~~
14 ~~student by a teacher, school, and school district may be~~
15 ~~estimated on a per-student and constant basis.~~

16 ~~2. Shall, to the extent possible, be able to be~~
17 ~~expressed in linear scales such that the effects of ceiling~~
18 ~~and floor dispersions are minimized.~~

19 (b)(f) The statistical system shall provide for an
20 approach which provides for the best estimates of linear
21 ~~unbiased prediction for the teacher, school, and school~~
22 ~~district effects on pupil progress. These estimates should~~
23 ~~adequately be able to determine effects of and compare~~
24 ~~teachers who teach multiple subjects to the same groups of~~
25 ~~students, and team teaching situations where teachers teach a~~
26 ~~single subject to multiple groups of students, or other~~
27 ~~teaching situations as appropriate.~~

28 ~~1. The department, in consultation with the Office of~~
29 ~~Program Policy Analysis and Government Accountability, and~~
30 ~~other sources as appropriate, shall use recognized approaches~~
31 ~~to statistical variance and estimating random effects.~~

1 ~~2.~~ The approach used by the department shall be
2 approved by the commissioner ~~State Board of Education~~ before
3 implementation for pupil progression assessment.

4 ~~(g) Assessments shall include a norm-referenced~~
5 ~~subtest that allows for comparisons of Florida students with~~
6 ~~the performance of students nationally.~~

7 (c)(h) The annual testing program shall be
8 administered to provide for valid statewide comparisons of
9 learning gains to be made for purposes of accountability and
10 recognition. The commissioner shall establish a schedule for
11 the administration of the statewide assessments. ~~Annual~~
12 ~~assessments that do not contain performance items shall be~~
13 ~~administered no earlier than March of each school year, with~~
14 ~~results being returned to schools prior to the end of the~~
15 ~~academic year. Subtests that contain performance items may be~~
16 ~~given earlier than March, provided that the remaining subtests~~
17 ~~are sufficient to provide valid data on comparisons of student~~
18 ~~learning from year to year. The time of administration shall~~
19 ~~be aligned such that a comparable amount of instructional time~~
20 ~~is measured in all school districts. District school boards~~
21 ~~shall not establish school calendars that jeopardize or limit~~
22 ~~the valid testing and comparison of student learning gains.~~

23 ~~(i) Assessments shall be implemented statewide no~~
24 ~~later than the spring of the 2000-2001 school year.~~

25 Section 2. For the purpose of incorporating the
26 amendment to section 229.57, Florida Statutes, in references
27 thereto, the sections or subdivisions of Florida Statutes set
28 forth below are reenacted to read:

29 230.23 Powers and duties of school board.--The school
30 board, acting as a board, shall exercise all powers and
31 perform all duties listed below:

1 (16) IMPLEMENT SCHOOL IMPROVEMENT AND
2 ACCOUNTABILITY.--Maintain a system of school improvement and
3 education accountability as provided by statute and State
4 Board of Education rule. This system of school improvement and
5 education accountability shall be consistent with, and
6 implemented through, the district's continuing system of
7 planning and budgeting required by this section and ss.
8 229.555 and 237.041. This system of school improvement and
9 education accountability shall include, but is not limited to,
10 the following:

11 (c) Assistance and intervention.--

12 1. Develop a 2-year plan of increasing individualized
13 assistance and intervention for each school in danger of not
14 meeting state standards or making adequate progress, as
15 defined pursuant to statute and State Board of Education rule,
16 toward meeting the goals and standards of its approved school
17 improvement plan.

18 2. A school that is identified as being in performance
19 grade category "D" pursuant to s. 229.57 is in danger of
20 failing and must be provided assistance and intervention.

21 3.a. Each district school board shall develop a plan
22 to encourage teachers with demonstrated mastery in improving
23 student performance to remain at or transfer to a school
24 designated as performance grade category "D" or "F" or to an
25 alternative school that serves disruptive or violent youths.
26 If a classroom teacher, as defined by s. 228.041(9)(a), who
27 meets the definition of teaching mastery developed according
28 to the provisions of this paragraph, requests assignment to a
29 school designated as performance grade category "D" or "F" or
30 to an alternative school that serves disruptive or violent
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1 youths, the district school board shall make every practical
2 effort to grant the request.

3 b. For initial implementation in 2000-2001 and until
4 full implementation of an annual assessment of learning gains,
5 a classroom teacher who is selected by the school principal
6 based on his or her performance appraisal and student
7 achievement data to teach at a school designated as
8 performance grade category "D" or "F" or at an alternative
9 that serves disruptive or violent youths shall receive a
10 supplement of at least \$1,000, not to exceed \$3,500, as
11 provided for annually in the General Appropriations Act, each
12 year he or she teaches at a school designated as performance
13 grade category "D" or "F" or at an alternative school that
14 serves disruptive or violent youths.

15 c. Beginning with the full implementation of an annual
16 assessment of learning gains, a classroom teacher whose
17 effectiveness has been proven based upon positive learning
18 gains of his or her students as measured by annual FCAT
19 assessments pursuant to s. 229.57, is eligible for an annual
20 supplement of at least \$1,000, not to exceed \$3,500, as
21 provided for annually in the General Appropriations Act, each
22 year he or she teaches at a school designated as performance
23 grade category "D" or "F" or at an alternative school that
24 serves disruptive or violent youths.

25 d. In the absence of an FCAT assessment, measurement
26 of learning gains of students shall be as provided in s.
27 229.57(12). The supplement received under this paragraph shall
28 be in addition to any supplement or bonus received as a result
29 of other local or state pay incentives based on performance.

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1 e. The Commissioner of Education shall adopt rules to
2 determine the measures that define "teaching mastery" for
3 purposes of this subparagraph.

4 4. District school boards are encouraged to prioritize
5 the expenditures of funds received from the supplemental
6 academic instruction categorical fund under s. 236.08104 to
7 improve student performance in schools that receive a
8 performance grade category designation of "D" or "F."

9 231.085 Duties of principals.--

10 (4) Each principal shall assist the teachers within
11 the school to use student assessment data, as measured by
12 student learning gains pursuant to s. 229.57, for
13 self-evaluation.

14 231.17 Teacher certification requirements.--

15 (15) COMPARISON OF ROUTES TO A PROFESSIONAL
16 CERTIFICATE.--Beginning with the 2003-2004 school year, the
17 Department of Education shall conduct a longitudinal study to
18 compare performance of certificateholders who are employed in
19 Florida school districts. The study shall compare a sampling
20 of educators who have qualified for a professional certificate
21 since July 1, 2002, based on the following:

22 (a) Graduation from a state-approved teacher
23 preparation program.

24 (b) Completion of a state-approved professional
25 preparation and education competency program.

26 (c) A valid standard teaching certificate issued by a
27 state other than Florida.

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29 The department comparisons shall be made to determine if there
30 is any significant difference in the performance of these
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1 groups of teachers, as measured by their students' achievement
2 levels and learning gains as measured by s. 229.57.

3 231.29 Assessment procedures and criteria.--

4 (3) The assessment procedure for instructional
5 personnel and school administrators must be primarily based on
6 the performance of students assigned to their classrooms or
7 schools, as appropriate. The procedures must comply with, but
8 are not limited to, the following requirements:

9 (a) An assessment must be conducted for each employee
10 at least once a year. The assessment must be based upon sound
11 educational principles and contemporary research in effective
12 educational practices. Beginning with the full implementation
13 of an annual assessment of learning gains, the assessment must
14 primarily use data and indicators of improvement in student
15 performance assessed annually as specified in s. 229.57 and
16 may consider results of peer reviews in evaluating the
17 employee's performance. Student performance must be measured
18 by state assessments required under s. 229.57 and by local
19 assessments for subjects and grade levels not measured by the
20 state assessment program. The assessment criteria must
21 include, but are not limited to, indicators that relate to the
22 following:

- 23 1. Performance of students.
- 24 2. Ability to maintain appropriate discipline.
- 25 3. Knowledge of subject matter. The district school
26 board shall make special provisions for evaluating teachers
27 who are assigned to teach out-of-field.
- 28 4. Ability to plan and deliver instruction, including
29 the use of technology in the classroom.
- 30 5. Ability to evaluate instructional needs.

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