

By Senator Sullivan

22-374-02

See HB 167

1                                   A bill to be entitled  
 2           An act relating to student assessment; amending  
 3           s. 229.57, F.S.; providing requirements  
 4           relating to passing scores on the grade 10  
 5           Florida Comprehensive Assessment Test;  
 6           providing an effective date.

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

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 10           Section 1. Paragraph (c) of subsection (3) of section  
 11 229.57, Florida Statutes, is amended to read:

12           229.57 Student assessment program.--

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

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

26           1. The tests measure student skills and competencies  
 27 adopted by the state board as specified in paragraph (a). The  
 28 tests must measure and report student proficiency levels in  
 29 reading, writing, and mathematics. Science proficiency must be  
 30 measured statewide beginning in 2003. Other content areas may  
 31 be included as directed by the commissioner. The commissioner

1 shall provide for the tests to be developed or obtained, as  
2 appropriate, through contracts and project agreements with  
3 private vendors, public vendors, public agencies,  
4 postsecondary institutions, or school districts. The  
5 commissioner shall obtain input with respect to the design and  
6 implementation of the testing program from state educators and  
7 the public.

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

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

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

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

1 successfully demonstrates proficiency in either reading or  
2 mathematics or both may be exempted from taking the  
3 corresponding section of the high school competency test or  
4 the college placement test. A student must earn a passing  
5 score or have been exempted from each part of the high school  
6 competency test in order to qualify for a regular high school  
7 diploma. The school districts shall provide appropriate  
8 remedial instruction to students who do not pass part of the  
9 competency test.

10           6. Students who enroll in grade 9 in the fall of 1999  
11 and thereafter must earn a passing score on the grade 10  
12 Florida Comprehensive Assessment Test (FCAT) described in this  
13 paragraph instead of the high school competency test described  
14 in subparagraph 5. Such students must earn a passing score in  
15 reading, writing, and mathematics to qualify for a regular  
16 high school diploma. Upon recommendation of the commissioner,  
17 the state board shall designate a passing score for each part  
18 of the grade 10 FCAT ~~assessment test~~. In establishing passing  
19 scores, the state board shall consider any possible negative  
20 impact of the test on minority students. A student is required  
21 to earn the passing score on the grade 10 FCAT that was  
22 required for graduation at the time the student first  
23 attempted the test. For instance, all students who took the  
24 grade 10 FCAT during the 2000-2001 school year shall be  
25 required to earn the passing scores in reading and mathematics  
26 established by the state board for the March 2001 test  
27 administration. Students in this target population who did not  
28 earn the established passing scores and must repeat the grade  
29 10 FCAT are required to earn the passing scores established  
30 for the March 2001 test administration. All students who take  
31 the grade 10 FCAT for the first time in March 2002 shall be

1 required to earn the passing scores in reading and mathematics  
2 established by the state board for the March 2002 test  
3 administration.

4           7. Participation in the testing program is mandatory  
5 for all students, including students served in Department of  
6 Juvenile Justice programs, except as otherwise prescribed by  
7 the commissioner. The commissioner shall recommend rules to  
8 the state board for the provision of test adaptations and  
9 modifications of procedures as necessary for students in  
10 exceptional education programs and for students who have  
11 limited English proficiency.

12           8. A student seeking an adult high school diploma must  
13 meet the same testing requirements that a regular high school  
14 student must meet.

15           9. School districts must provide instruction to  
16 prepare students to demonstrate proficiency in the skills and  
17 competencies necessary for successful grade-to-grade  
18 progression and high school graduation. The commissioner shall  
19 conduct studies as necessary to verify that the required  
20 skills and competencies are part of the district instructional  
21 programs.

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

27  
28 The commissioner may design and implement student testing  
29 programs for any grade level and subject area, based on  
30 procedures designated by the commissioner to monitor  
31 educational achievement in the state.

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

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5   LEGISLATIVE SUMMARY

6           Provides that passing score requirements for students who  
7 took the grade 10 Florida Comprehensive Assessment Test  
8 (FCAT) in the 2000-2001 school year shall not be  
9 increased for students who must retake the test. Provides  
passing score requirements for students taking the FCAT  
for the first time in March 2002.

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