

By Representative Wilson

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 that administration of the Florida  
7           Comprehensive Assessment Test is contingent on  
8           full funding for low-performing schools;  
9           providing a definition; providing an effective  
10          date.

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

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14           Section 1. Paragraph (c) of subsection (3) of section  
15 229.57, Florida Statutes, is amended to read:

16           229.57 Student assessment program.--

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

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

30           1. The tests measure student skills and competencies  
31 adopted by the state board as specified in paragraph (a). The

1 tests must measure and report student proficiency levels in  
2 reading, writing, and mathematics. Science proficiency must be  
3 measured statewide beginning in 2003. Other content areas may  
4 be included as directed by the commissioner. The commissioner  
5 shall provide for the tests to be developed or obtained, as  
6 appropriate, through contracts and project agreements with  
7 private vendors, public vendors, public agencies,  
8 postsecondary institutions, or school districts. The  
9 commissioner shall obtain input with respect to the design and  
10 implementation of the testing program from state educators and  
11 the public.

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

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

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

25           5. Except as provided in subparagraph 6., all 11th  
26 grade students take a high school competency test developed by  
27 the state board to test minimum student performance skills and  
28 competencies in reading, writing, and mathematics. The test  
29 must be based on the skills and competencies adopted by the  
30 state board pursuant to paragraph (a). Upon recommendation of  
31 the commissioner, the state board shall designate a passing

1 score for each part of the high school competency test. In  
2 establishing passing scores, the state board shall consider  
3 any possible negative impact of the test on minority students.  
4 The commissioner may establish criteria whereby a student who  
5 successfully demonstrates proficiency in either reading or  
6 mathematics or both may be exempted from taking the  
7 corresponding section of the high school competency test or  
8 the college placement test. A student must earn a passing  
9 score or have been exempted from each part of the high school  
10 competency test in order to qualify for a regular high school  
11 diploma. The school districts shall provide appropriate  
12 remedial instruction to students who do not pass part of the  
13 competency test.

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

1 the grade 10 FCAT for the first time in March 2002 and  
2 thereafter shall be required to earn the passing scores in  
3 reading and mathematics established by the state board for the  
4 March 2002 test administration.

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

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

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

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

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29 The commissioner may design and implement student testing  
30 programs for any grade level and subject area, based on  
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1 procedures designated by the commissioner to monitor  
2 educational achievement in the state.  
3       Section 2. Administration of the Florida Comprehensive  
4 Assessment Test (FCAT) each school year is contingent on full  
5 funding for low-performing schools in that fiscal year. For  
6 the 2002-2003 fiscal year, "full funding" means an amount  
7 equal to the funds provided for low-performing schools in  
8 Specific Appropriations 7B and 131 of the 2001-2002 General  
9 Appropriations Act. For subsequent fiscal years, "full  
10 funding" means an amount equal to the funds appropriated for  
11 low-performing schools in the prior fiscal year, adjusted  
12 annually for inflation or deflation and any increase or  
13 decrease in student population.

14       Section 3. This act shall take effect upon becoming a  
15 law.

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18                   HOUSE SUMMARY

19                   Provides that passing score requirements for students who  
20                   took the grade 10 Florida Comprehensive Assessment Test  
21                   (FCAT) in the 2000-2001 school year shall not be  
22                   increased for students who must retake the test. Provides  
23                   passing score requirements for students taking the FCAT  
24                   for the first time in March 2002 and thereafter. Provides  
25                   that administration of the FCAT is contingent on full  
26                   funding for low-performing schools.  
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