

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: SB 2272

SPONSOR: Senator Geller

SUBJECT: Public School Student Progression

DATE: April 8, 2003 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>deMarsh-Mathues</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable</u>
2.	<u>Dugger</u>	<u>Cannon</u>	<u>CJ</u>	<u>Favorable</u>
3.	_____	_____	<u>AED</u>	_____
4.	_____	_____	<u>AP</u>	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill adds social studies as an area of proficiency to the legislative intent provisions for public school student progression. District school boards must establish a comprehensive program of student progression that includes specific levels of performance in social studies for each grade level. Students who fall below or who are unable to meet performance levels must be provided with additional diagnostic assessments and must receive remediation or be retained within a specific intensive program. School districts must provide parents with information related to their child’s progress in social studies.

Academic improvement plans are required for certain students in schools providing educational services in Department of Juvenile Justice programs. The bill requires assessment data for science and social studies to be included as a part of the education records that must be maintained in the student’s commitment record.

This bill substantially amends ss. 1008.25, 1003.51, and 1003.52, F.S.

The bill provides an effective date of July 1, 2003.

II. Present Situation:

Student Progression

District school boards must establish comprehensive programs for student progress that include standards for evaluating student performance, specific levels of performance in reading, writing, science, and mathematics for each grade level, including performance levels on statewide assessments, and appropriate alternative placement for a student who has been retained for 2 or more years. Students who perform below the performance level must receive remediation or be

retained in an intensive program that is different from the previous year's program and that takes into consideration the student's learning style.

Remedial and supplemental instructional resources must be provided, according to the following priority:

- students who are deficient in reading by the end of grade 3.
- students who fail to meet performance levels required for promotion consistent with the district school board's plan for student progression.

Students who do not meet either the district performance levels in reading, writing, science, and mathematics or the performance levels on statewide assessments at selected grade levels must be provided with additional diagnostic assessments to determine the nature of the student's difficulty and areas of academic need. School districts must provide parents with information related to their child's progress toward achieving state and district proficiency in reading, writing, science, and mathematics, as well the student's results on each statewide assessment test.

Educational Services to students in Department of Juvenile Justice programs

Students participating in a detention, commitment, or rehabilitation program under chapter 985, F.S., which is sponsored by a community-based agency or is operated or contracted for by the Department of Juvenile Justice must receive educational programs according to rules of the State Board of Education. A cooperative agreement and plan for juvenile justice education service enhancement must be developed each year between the Department of Juvenile Justice and the Department of Education.

Current law requires an administrative rule for expectations for effective education programs for youth in Department of Juvenile Justice programs that includes academic expectations and assessment procedures. The Department of Education, in partnership with the Department of Juvenile Justice, the district school boards, and providers must maintain standardized required content of education records to be included as part of a youth's commitment record. These requirements must include assessment data, including grade level proficiency in reading, writing, and mathematics, and performance on tests taken according to s. 1008.22, F.S.

The law requires an academic improvement plan for students who score below the level specified in district school board policy in reading, writing, and mathematics or who score below the level specified by the Commissioner of Education on statewide assessments. The plans must address academic, literacy, and life skills, as well as provisions for intensive remedial instruction in the areas of weakness.

Current administrative rule (Rule 6A-6.05281, F.A.C.) provides for educational programs for youth in Department of Juvenile Justice detention, commitment, day treatment, or early delinquency intervention programs and includes provisions for student records, student assessments, and individual academic plans.

During the 2001-2002 school year, school districts provided educational services to a total of 47,780 students in juvenile justice facilities.¹ Of these students:

- 93 percent taking the General Educational Development (GED) test passed.
- 73 percent were promoted at the end of the school year.
- 45 percent graduated.
- 4 percent in grades 9-12 dropped out of school.
- 72 percent were overage for grade placement, compared with 48 percent of all dropout prevention students.
 - Of these overage students in juvenile justice education, 50 percent who were eligible to graduate did so, while 71 percent of those not eligible to graduate were promoted to the next grade.

The recommendations include an emphasis on student outcomes through the use of performance data from statewide assessments for youth in juvenile justice programs.

Student Assessment

Current law (s. 1008.22(3), F.S.) requires the Commissioner of Education to develop and implement a student achievement testing program, the Florida Comprehensive Assessment Test (FCAT), as part of the statewide educational assessment program that provides information for improving public schools, including schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs. Participation in the testing program is mandatory for all students attending public school, including students served in Department of Juvenile Justice programs, except as otherwise prescribed by the Commissioner. Parents of students who do not participate in the assessment program must be provided with specific information about possible consequences. School districts must provide appropriate remediation instruction to students who score below the levels established for each subject area.

The FCAT is administered each year to students in grades 3 through 10 to measure reading, writing, science, and mathematics. All eligible students in grades 3 through 10 take the reading and mathematics tests. All eligible students in grades 4, 8, and 10 take the writing test. This year the science test is being administered to students in grades 5, 8, and 10.

Students must earn a passing score on the 10th grade assessment test in reading, writing, and mathematics to qualify for a regular high school diploma. State Board of Education rule (Rule 6A-1.09422, F.A.C.) designates the passing scores for each part of the assessment test and specifies the passing scores for the 10th grade FCAT. Under the 2002-2003 Florida Statewide Assessment Schedule, reexaminations in reading and mathematics are offered three times each year in grades 11 and 12 to each student who fails part of the 10th grade test, for a total of 6 reexaminations.² While the Sunshine State Standards contain grade level expectations for social studies, the FCAT does not include social studies as a content area.

¹ Florida Department of Education, *Developing Effective Educational Programs in Department of Juvenile Justice Programs: Year 2001-2002*, January 31, 2003

² See <http://www.firn.edu/doe/sas/fcat/pdf/fcschedl.pdf>

III. Effect of Proposed Changes:

Section 1. The bill amends s. 1008.25, F.S., to add social studies as an area of proficiency to the legislative intent provisions for public school student progression. As well, district school boards must establish a comprehensive program of student progression that includes specific levels of performance in social studies for each grade level, including the performance levels on statewide assessments, as defined by the Commissioner of Education. Students who fall below these performance levels must receive remediation or be retained within a specific intensive program.

Students who are unable to meet district levels of performance in social studies must be provided with additional diagnostic assessments to determine the nature of the student's difficulty and areas of academic need. Districts must provide parents with information related to their child's progress toward achieving state and district proficiency in social studies.

Section 2. The bill amends s. 1003.51, F.S., to include assessment data for science and social studies as a part of the education records that must be maintained in the student's commitment record by the Department of Education, in consultation with the Department of Juvenile Justice, district school boards, and private providers.

Section 3. The bill amends s. 1003.52, F.S., related to the academic improvement plan for students in schools providing educational services in Department of Juvenile Justice programs. The plan is required for students who score below the level specified:

- in district school board policy in science or social studies; or
- by the Commissioner of Education on statewide assessments.

Section 4. The bill provides an effective date of July 1, 2003.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

Students who fall below or who do not meet performance levels in social studies will be subject to additional diagnostic assessment, remediation, or retention. Private entities under contract with the district school boards that provide education services to students in Department of Juvenile Justice programs will incur some costs related to these requirements. Some costs may be incurred for the academic improvement plans and reporting requirements in the bill.

C. Government Sector Impact:

Students who fall below or who do not meet performance levels in social studies will be subject to additional diagnostic assessment, remediation, or retention. District school boards that provide education services to students in Department of Juvenile Justice programs will incur some costs related to these requirements. Some costs may be incurred for the academic improvement plans and reporting requirements in the bill.

VI. Technical Deficiencies:

None.

VII. Related Issues:

The FCAT science test requirement is established in s. 1008.22(3)(c), F.S. This requirement is not currently referenced in either s. 1003.51(3)(c)2., F.S. or s. 1003.52(7), F.S.

VIII. Amendments:

None.