

Bill No. SB 2546

Amendment No.      Barcode 492454

CHAMBER ACTION

Senate

House

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Senator Diaz de la Portilla moved the following amendment:

**Senate Amendment (with title amendment)**

On page 1, line 21, through  
page 5, line 28, delete those lines

and insert:

Section 1. Paragraph (c) of subsection (3) of section 1008.22, Florida Statutes, is amended, subsection (9) is renumbered as subsection (10), and a new subsection (9) is added to said section, to read:

1008.22 Student assessment program for public schools.--

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

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1 (c) Develop and implement a student achievement  
2 testing program known as the Florida Comprehensive Assessment  
3 Test (FCAT) as part of the statewide assessment program, to be  
4 administered annually in grades 3 through 10 to measure  
5 reading, writing, science, and mathematics. Other content  
6 areas may be included as directed by the commissioner. The  
7 testing program must be designed so that:

8 1. The tests measure student skills and competencies  
9 adopted by the State Board of Education as specified in  
10 paragraph (a). The tests must measure and report student  
11 proficiency levels in reading, writing, mathematics, and  
12 science. The commissioner shall provide for the tests to be  
13 developed or obtained, as appropriate, through contracts and  
14 project agreements with private vendors, public vendors,  
15 public agencies, postsecondary educational institutions, or  
16 school districts. The commissioner shall obtain input with  
17 respect to the design and implementation of the testing  
18 program from state educators and the public.

19 2. The testing program will include a combination of  
20 norm-referenced and criterion-referenced tests and include, to  
21 the extent determined by the commissioner, questions that  
22 require the student to produce information or perform tasks in  
23 such a way that the skills and competencies he or she uses can  
24 be measured.

25 3. Each testing program, whether at the elementary,  
26 middle, or high school level, includes a test of writing in  
27 which students are required to produce writings that are then  
28 scored by appropriate methods.

29 4. A score is designated for each subject area tested,  
30 below which score a student's performance is deemed  
31 inadequate. The school districts shall provide appropriate

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1 remedial instruction to students who score below these levels.

2           5. Students must earn a passing score on the grade 10  
3 assessment test described in this paragraph or on an alternate  
4 assessment as described in subsection (9) in reading, writing,  
5 and mathematics to qualify for a regular high school diploma.  
6 The State Board of Education shall designate a passing score  
7 for each part of the grade 10 assessment test. In establishing  
8 passing scores, the state board shall consider any possible  
9 negative impact of the test on minority students. All students  
10 who took the grade 10 FCAT during the 2000-2001 school year  
11 shall be required to earn the passing scores in reading and  
12 mathematics established by the State Board of Education for  
13 the March 2001 test administration. Such students who did not  
14 earn the established passing scores and must repeat the grade  
15 10 FCAT are required to earn the passing scores established  
16 for the March 2001 test administration. All students who take  
17 the grade 10 FCAT for the first time in March 2002 and  
18 thereafter shall be required to earn the passing scores in  
19 reading and mathematics established by the State Board of  
20 Education for the March 2002 test administration. The State  
21 Board of Education shall adopt rules which specify the passing  
22 scores for the grade 10 FCAT. Any such rules, which have the  
23 effect of raising the required passing scores, shall only  
24 apply to students taking the grade 10 FCAT after such rules  
25 are adopted by the State Board of Education.

26           6. Participation in the testing program is mandatory  
27 for all students attending public school, including students  
28 served in Department of Juvenile Justice programs, except as  
29 otherwise prescribed by the commissioner. If a student does  
30 not participate in the statewide assessment, the district must  
31 notify the student's parent and provide the parent with

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1 information regarding the implications of such  
2 nonparticipation. If modifications are made in the student's  
3 instruction to provide accommodations that would not be  
4 permitted on the statewide assessment tests, the district must  
5 notify the student's parent of the implications of such  
6 instructional modifications. A parent must provide signed  
7 consent for a student to receive instructional modifications  
8 that would not be permitted on the statewide assessments and  
9 must acknowledge in writing that he or she understands the  
10 implications of such accommodations. The State Board of  
11 Education shall adopt rules, based upon recommendations of the  
12 commissioner, for the provision of test accommodations and  
13 modifications of procedures as necessary for students in  
14 exceptional education programs and for students who have  
15 limited English proficiency. Accommodations that negate the  
16 validity of a statewide assessment are not allowable.

17         7. A student seeking an adult high school diploma must  
18 meet the same testing requirements that a regular high school  
19 student must meet.

20         8. District school boards must provide instruction to  
21 prepare students to demonstrate proficiency in the skills and  
22 competencies necessary for successful grade-to-grade  
23 progression and high school graduation. If a student is  
24 provided with accommodations or modifications that are not  
25 allowable in the statewide assessment program, as described in  
26 the test manuals, the district must inform the parent in  
27 writing and must provide the parent with information regarding  
28 the impact on the student's ability to meet expected  
29 proficiency levels in reading, writing, and math. The  
30 commissioner shall conduct studies as necessary to verify that  
31 the required skills and competencies are part of the district

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1 instructional programs.

2           9. The Department of Education must develop, or  
3 select, and implement a common battery of assessment tools  
4 that will be used in all juvenile justice programs in the  
5 state. These tools must accurately measure the skills and  
6 competencies established in the Florida Sunshine State  
7 Standards.

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9           The commissioner may design and implement student  
10 testing programs, for any grade level and subject area,  
11 necessary to effectively monitor educational achievement in  
12 the state.

13           (9) EQUIVALENCIES FOR STANDARDIZED TESTS.--The State  
14 Board of Education shall study the comparable validity of  
15 other available standardized tests, including the SAT, ACT,  
16 College Placement Test, PSAT, PLAN, and tests used for entry  
17 into the military, and shall report its findings to the  
18 Governor, the President of the Senate, and the Speaker of the  
19 House of Representatives by December 31, 2003. If such tests  
20 are deemed to be valid and reliable measures, the State Board  
21 of Education shall adopt scores on such tests that will equate  
22 to the FCAT passing rate for purposes of high school  
23 graduation. If no existing standardized assessment is deemed  
24 to be a valid and reliable measure, the State Board of  
25 Education may initiate the development of a valid and reliable  
26 alternate assessment. Students who attain scores that equate  
27 to the FCAT passing rate for purposes of high school  
28 graduation on one of the approved tests shall satisfy the  
29 assessment requirement for a standard high school diploma as  
30 provided in s. 1003.43(5)(a).

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1 (Redesignate subsequent sections.)

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4 ===== T I T L E A M E N D M E N T =====

5 And the title is amended as follows:

6 On page 1, lines 2-17, delete those lines

7

8 and insert:

9 An act relating to high school graduation;  
10 amending s. 1008.22, F.S., relating to student  
11 assessment for public schools; providing for  
12 alternate assessments for the grade 10 FCAT;  
13 providing an effective date.

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