

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 467 w/CS Relating to Public School Student Assessment  
**SPONSOR(S):** Rep. Quinones  
**TIED BILLS:** **IDEN./SIM. BILLS:** SB 2546

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REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
1) Education Innovation (Sub)	6 Y, 0 N	Acosta	Bohannon
2) Education K-20	20Y, 4N	Ager	Bohannon
3) Education Appropriations (Sub)	14 Y, 0 N	Mizereck	Mizereck
4) Appropriations	40 Y, 0 N	Mizereck	Hansen
5)			

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### SUMMARY ANALYSIS

The Florida Comprehensive Assessment Test (FCAT) was designed to measure the performance of students in Florida's schools. To qualify for a standard high school diploma, students must earn a passing score on the Grade 10 FCAT. Students who do not earn the passing score set by the Florida Board of Education will not receive a standard high school diploma. The inability to successfully pass the Grade 10 FCAT may diminish the student's ability to seek a postsecondary education.

**The bill with CS as adopted by the Appropriations Committee** provides for a variety of learning options for ESOL students, transfer students from other states and countries, and other students needing additional instruction. Eleventh or twelfth grade transfer students who have met all graduation requirements from their transferring state or country do not have to spend additional time in a Florida public school in order to meet Florida high school requirements. Students who have met all graduation requirements except for passage of the grade 10 FCAT or an alternate assessment by the end of grade 12 must be provided an opportunity to:

- participate in an accelerated GED preparation program during the summer;
- take the College Placement Test and be admitted to remedial or credit courses at a state community college;
- participate in an adult general education program until the student has mastered English, reading, mathematics, or other required subjects, with unlimited opportunities to take the grade 10 FCAT;
- receive immersion English language instruction during the summer if the student has been enrolled in an ESOL program for less than two years.

The bill requires that the state testing program allow for a grade 10 alternate assessment for regular high school graduation purposes. The State Board of Education is directed to study the comparable validity of other available standardized tests and report its finding to the Governor, President of the Senate and Speaker of the House by December 31, 2003. If valid and reliable measures are identified, the State Board shall adopt scores that equate to the FCAT passing rates. If no such measure is identified, the bill allows the State Board of Education to initiate the development of a valid and reliable alternate assessment.

This bill will have an indeterminate fiscal impact.

This document does not reflect the intent or official position of the bill sponsor or House of Representatives.

**STORAGE NAME:** h0467g.ap.doc  
**DATE:** April 25, 2003

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. DOES THE BILL:

- |                                      |   |                             |   |
|--------------------------------------|---|-----------------------------|---|
| 1. Reduce government?                | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 2. Lower taxes?                      | Yes <input type="checkbox"/>            | No <input type="checkbox"/> | N/A <input checked="" type="checkbox"/> |
| 3. Expand individual freedom?        | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |
| 4. Increase personal responsibility? | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |
| 5. Empower families?                 | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> | N/A <input type="checkbox"/>            |

For any principle that received a “no” above, please explain:

#### B. EFFECT OF PROPOSED CHANGES:

Section 1003.43, F.S., prescribes the requirements for high school graduation. Under current law, beginning in the current school year, students are required to pass the 10<sup>th</sup> grade FCAT as a condition of receiving a standard high school diploma. The inability to successfully pass the Grade 10 FCAT may diminish the student’s ability to seek a postsecondary education.

The bill creates a new section of Florida Statutes, Section 1003.433, to provide a variety of learning opportunities for ESOL students, students transferring in their eleventh or twelfth grade year to Florida from other states or countries, and other students needing additional instruction.

Section 1008.22, F.S., governs the statewide student assessment system for public schools. The bill amends the requirement of the statewide assessment system that students must earn a passing score on the 10<sup>th</sup> grade FCAT in order to qualify for a regular high school diploma to allow students to pass an alternate assessment. The State Board of Education is directed to study the comparable validity of other available standardized tests. Other available standardized tests include the SAT, ACT, College Placement Test, and tests used for entry into the military. If these tests are deemed to be valid and reliable measures, then the bill provides that the State Board of Education must establish in rule the scores from those tests that equate to the FCAT passing rate for purposes of high school graduation. Students who attain scores that equate to the requisite FCAT passing rate on an approved test shall satisfy the assessment requirement for a standard high school diploma. The bill also allows the State Board of Education to initiate the development of a valid and reliable alternate assessment.

The bill takes effect upon becoming a law.

#### C. SECTION DIRECTORY:

**Section 1.** Creates s. 1003.433, F.S., to provide learning opportunities for certain students to meet high school graduation requirements; provide requirements for certain transfer students; and authorize alternate assessment; provide rule making authority.

**Section 2.** Amends s. 1008.22, F.S., which relates to public school student assessment, to conform to new s. 1003.433, F.S.; requires the State Board of Education to study the comparable validity of other available standardized tests; allows the State Board of Education to initiate the development of a valid and reliable alternate assessment.

**Section 3.** Provides that the bill takes effect upon becoming law.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

#### 1. Revenues:

Please refer to "Fiscal Comments" below.

#### 2. Expenditures:

Please refer to "Fiscal Comments" below.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

#### 1. Revenues:

This bill does not appear to have a fiscal impact on local government revenues.

#### 2. Expenditures:

This bill does not appear to have a fiscal impact on local government expenditures.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

This bill does not appear to have a direct economic impact on the private sector.

### D. FISCAL COMMENTS:

This bill has an indeterminate fiscal impact, to the extent that it results in any of the following:

- **Increase in demand for programs.** Students who have not passed the grade 10 FCAT must be provided certain learning opportunities. While these programs already exist, an increase in the number of students seeking these opportunities could result in a need for increased funding.
- **An increase in students who are able to seek a postsecondary education.** Students who are admitted to community colleges with a certificate of completion, and pass the College Placement Test, will be able to enroll in credit courses. While these students will not have a standard high school diploma, this increased access to postsecondary education may help students become self-sufficient and productive members of society.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

#### 1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not affect any municipal or county government.

#### 2. Other:

None.

### B. RULE-MAKING AUTHORITY:

This bill provides the State Board of Education with rulemaking authority to implement the provisions of section 1 of the bill.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

As originally filed, the bill amended paragraph (c) of Subsection (3) of s. 1008.22, F.S., to allow 12<sup>th</sup> grade students who are enrolled in an ESOL program and who arrived in the United States of America within one year prior to taking, but failing to pass, the 10<sup>th</sup> grade FCAT for the first time one opportunity to take the FCAT in the student's native language. On April 14, 2003, the Committee on Education K-20 adopted a strike-all amendment to the bill that provided certain ESOL students with a waiver from the FCAT requirement. On April 15, 2003, the House Education Appropriations Subcommittee adopted two amendments further clarifying which students would qualify for the waiver. On April 21, 2003, the House Appropriations Committee adopted a strike-all amendment that is reflected in this analysis.