

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 467 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			
3) Education Appropriations (Sub)			
4) Appropriations			
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.

Under current law, students must take the FCAT in English, regardless of their enrollment in an ESOL program or their level of proficiency in the English language. As a result, when such students receive a low or failing score on the FCAT, a question arises as to whether the result is attributable to the student's lack of understanding of the subject matter or to a lack of proficiency in the English language. In either case, the inability to successfully pass the Grade 10 FCAT may diminish the student's ability to seek a postsecondary education.

This bill will allow a Grade 12 student who meets certain requirements to take the Grade 10 FCAT in his or her native language. The bill also proscribes measures in the event that the student does not pass the test even when it is administered in his or her native language. The bill directs the Commissioner of Education to implement the provisions of the bill while allowing the school districts to make accommodations as needed.

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:** h0467a.edk.doc  
**DATE:** April 4, 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:

This bill amends paragraph (c) of Subsection (3) of Section 1008.22, Florida Statutes. It allows a Grade 12 student with certain special circumstances one opportunity to take the FCAT in the student's native language. To qualify for the option of taking the FCAT in the student's native language, the student must meet several requirements. The student must be in Grade 12, be enrolled in an ESOL program, and must have arrived in the United States of America within one year prior to taking the Grade 10 FCAT for the first time. If, after taking the FCAT in his or her native language, the student still does not earn the requisite FCAT passing grade, then the student must take the Grade 10 FCAT again in English.

This bill directs the Commissioner of Education to implement the provisions of the bill. It also provides deference to the local school districts by authorizing the districts to make appropriate accommodations and adjustments, including establishing time requirements, where "unusual situations" exist. However, the bill does not define "unusual situations."

#### C. SECTION DIRECTORY:

**Section 1.** Amends Section 1008.22, F.S. , relating to public school student assessment; authorizes certain students to take the FCAT in their native language under certain circumstances.

**Section 2.** Provides an effective date of July 1, 2003.

### 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:

- **A decrease in students who must retake the FCAT.** There could be a decrease in expenditures for FCAT testing if more students are able to pass the FCAT on the first opportunity as fewer student will need to participate in additional test opportunities. This decrease may result in an increase in revenues available for expenditure on other purposes.
- **A decrease in students who must take remedial classes or be held back in school because of failing FCAT scores.** If students can pass the FCAT in their native language, there may be a decrease in expenditures associated with students who will not need to take remedial classes or be held back in school.
- **An increase in the administration cost of the FCAT.** Administering the FCAT in a language other than English would require that the exam and exam answer key be translated to several other languages. The exam may also have to be proctored by education staff that is fluent in the additional languages in which the exam is offered in order to answer questions that the students may have during the exam.
- **An increase in students who are able to seek a postsecondary education.** Students who pass the FCAT will be able to receive a standard high school diploma. This will allow them to seek a postsecondary education. These opportunities 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 regarding the alternate assessment for students who are not proficient in English and may benefit from taking the FCAT in their native language.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

#### IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES

The Subcommittee on Education Innovation recommends an amendment that will change the substance of the bill as follows:

- **Section 1** -- The strike-all amends s. 1003.43, F.S., and allows a student who meets certain requirements to be awarded a standard high school diploma without having to earn a passing score on the FCAT. To qualify for this exemption, the student must:
  1. Take the FCAT, but fail to earn a passing score;
  2. Not have another opportunity to take the FCAT before the student is scheduled to graduate from Grade 12;
  3. Be enrolled in an ESOL program for less than two school years; and
  4. Have a 2.5 cumulative grade point average on a 4.0 scale.
  
- **Section 2** -- The strike-all amends s. 1008.22, F.S., relating to statewide assessments, and directs the State Board of Education to study the comparable validity of other available standardized tests. These 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 amendment provides that the State Board of Education must provide in rule that the scores from those tests will 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 strike-all also allows the State Board of Education to initiate the development of a valid and reliable alternate assessment.
  
- **Section 3** -- The strike-all provides that the bill will become effective upon becoming a law.