

Bill No. HCB 6007, 2nd Eng.

Barcode 332760

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Senator Bullard moved the following amendment:

Senate Amendment (with title amendment)

On lines 2476-2637, delete those lines

and insert:

Section 31. Paragraph (f) of subsection (1) of section 1008.22, Florida Statutes, is amended, present subsections (2) through (9) of that section are renumbered subsections (3) through (10), respectively, and a new subsection (2) is added to that section, paragraphs (c) and (e) of present subsection (3) and present subsection (9) of that section are amended, present subsection (10) of that section is renumbered as subsection (12), and a new subsection (11) is added to that section, to read:

1008.22 Student assessment program for public schools.--

(1) PURPOSE.--The primary purposes of the student assessment program are to provide information needed to improve the public schools by enhancing the learning gains of all students and to inform parents of the educational progress

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1 of their public school children. The program must be designed
2 to:

3 (f) Provide information on the performance of Florida
4 students compared with other students ~~others~~ across the United
5 States.

6 (2) It is the intent of the Legislature that the
7 Department of Education use innovations in technology and
8 assessment to allow the Florida Comprehensive Assessment Test
9 (FCAT) to be administered no earlier than March 15 in 2006, no
10 earlier than April 1 in 2007, and no earlier than April 15 in
11 2008 and beyond. It is the intent that scores will be received
12 before the end of the school year, but scores for students in
13 grade 3 and students in grade 12 who are taking the test for
14 graduation purposes shall be returned before the end of the
15 school year. Other student scores shall be returned no later
16 than June 15 of each year.

17 (4)~~(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 The commissioner may enter into contracts for the continued
24 administration of the assessment, testing, and evaluation
25 programs authorized and funded by the Legislature. Contracts
26 may be initiated in 1 fiscal year and continue into the next
27 and may be paid from the appropriations of either or both
28 fiscal years. The commissioner is authorized to negotiate for
29 the sale or lease of tests, scoring protocols, test scoring
30 services, and related materials developed pursuant to law.
31 Pursuant to the statewide assessment program, the commissioner

1 shall:

2 (c) Develop and implement a student achievement
 3 testing program known as the Florida Comprehensive Assessment
 4 Test (FCAT) as part of the statewide assessment program, ~~to be~~
 5 ~~administered annually in grades 3 through 10~~ to measure
 6 reading, writing, science, and mathematics. Other content
 7 areas may be included as directed by the commissioner. The
 8 assessment of reading and mathematics shall be administered
 9 annually in grades 3 through 10. The assessment of writing and
 10 science shall be administered at least once at the elementary,
 11 middle, and high school levels. The testing program must be
 12 designed so that:

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

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

30 3. Each testing program, whether at the elementary,
 31 middle, or high school level, includes a test of writing in

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1 which students are required to produce writings that are then
2 scored by appropriate methods.

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

7 5. Except as provided in s. 1003.43(11)(b), students
8 must earn a passing score on the grade 10 assessment test
9 described in this paragraph or on an alternate assessment as
10 described in subsection(10)(9) in reading, writing, and
11 mathematics to qualify for a regular high school diploma. The
12 State Board of Education shall designate a passing score for
13 each part of the grade 10 assessment test. In establishing
14 passing scores, the state board shall consider any possible
15 negative impact of the test on minority students. ~~All students
16 who took the grade 10 FCAT during the 2000-2001 school year
17 shall be required to earn the passing scores in reading and
18 mathematics established by the State Board of Education for
19 the March 2001 test administration. Such students who did not
20 earn the established passing scores and must repeat the grade
21 10 FCAT are required to earn the passing scores established
22 for the March 2001 test administration. All students who take
23 the grade 10 FCAT for the first time in March 2002 shall be
24 required to earn the passing scores in reading and mathematics
25 established by the State Board of Education for the March 2002
26 test administration.~~ The State Board of Education shall adopt
27 rules which specify the passing scores for the grade 10 FCAT.
28 Any such rules, which have the effect of raising the required
29 passing scores, shall only apply to students taking the grade
30 10 FCAT for the first time after such rules are adopted by the
31 State Board of Education.

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1 6. Participation in the testing program is mandatory
2 for all students attending public school, including students
3 served in Department of Juvenile Justice programs, except as
4 otherwise prescribed by the commissioner. If a student does
5 not participate in the statewide assessment, the district must
6 notify the student's parent and provide the parent with
7 information regarding the implications of such
8 nonparticipation. If modifications are made in the student's
9 instruction to provide accommodations that would not be
10 permitted on the statewide assessment tests, the district must
11 notify the student's parent of the implications of such
12 instructional modifications. A parent must provide signed
13 consent for a student to receive instructional modifications
14 that would not be permitted on the statewide assessments and
15 must acknowledge in writing that he or she understands the
16 implications of such accommodations. The State Board of
17 Education shall adopt rules, based upon recommendations of the
18 commissioner, for the provision of test accommodations and
19 modifications of procedures as necessary for students in
20 exceptional education programs and for students who have
21 limited English proficiency. Accommodations that negate the
22 validity of a statewide assessment are not allowable.

23 7. A student seeking an adult high school diploma must
24 meet the same testing requirements that a regular high school
25 student must meet.

26 8. District school boards must provide instruction to
27 prepare students to demonstrate proficiency in the skills and
28 competencies necessary for successful grade-to-grade
29 progression and high school graduation. If a student is
30 provided with accommodations or modifications that are not
31 allowable in the statewide assessment program, as described in

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1 the test manuals, the district must inform the parent in
 2 writing and must provide the parent with information regarding
 3 the impact on the student's ability to meet expected
 4 proficiency levels in reading, writing, and math. The
 5 commissioner shall conduct studies as necessary to verify that
 6 the required skills and competencies are part of the district
 7 instructional programs.

8 9. The Department of Education must develop, or
 9 select, and implement a common battery of assessment tools
 10 that will be used in all juvenile justice programs in the
 11 state. These tools must accurately measure the skills and
 12 competencies established in the Florida Sunshine State
 13 Standards.

14
 15 The commissioner may design and implement student testing
 16 programs, for any grade level and subject area, necessary to
 17 effectively monitor educational achievement in the state.

18 (e) Conduct ongoing research and analysis of student
 19 achievement data, including, without limitation, monitoring
 20 trends in student achievement by grade level and overall
 21 student achievement, identifying school programs that are
 22 successful, and analyzing correlates of school achievement.

23 ~~(10)(9)~~ EQUIVALENCIES FOR STANDARDIZED TESTS.--

24 (a) The State Board of Education shall conduct
 25 concordance studies, as necessary, to determine scores on the
 26 SAT and the ACT equivalent to those required on the FCAT for
 27 high school graduation pursuant to s. 1003.429(6)(a) or s.
 28 1003.43(5)(a).

29 ~~(b)(a)~~ The Commissioner of Education shall approve the
 30 use of the SAT and ACT tests as alternative assessments to the
 31 grade 10 FCAT ~~for the 2003-2004 school year~~. Students who

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1 attain scores on the SAT or ACT which equate to the passing
 2 scores on the grade 10 FCAT for purposes of high school
 3 graduation shall satisfy the assessment requirement for a
 4 standard high school diploma as provided in s. 1003.429(6)(a)
 5 or s. 1003.43(5)(a) ~~for the 2003-2004 school year~~ if the
 6 students meet the requirement in paragraph(c)(b).

7 (c)(b) A student shall be required to take each
 8 subject area of the grade 10 FCAT a total of three times
 9 without earning a passing score in order to use the
 10 corresponding subject area scores on an alternative assessment
 11 pursuant to paragraph(b)(a) . This requirement shall not
 12 apply to a new student who enters ~~is a new student to~~ the
 13 Florida public school system in grade 12, who may either take
 14 the FCAT or use approved score equivalencies to fulfill the
 15 graduation requirement.

16 (11) REPORTS.--The Department of Education shall
 17 annually

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

21 And the title is amended as follows:

22 On line 149, following the semicolon

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24 insert:

25 providing legislative intent with respect to
 26 innovations in technology and assessment;

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