

By Senator Wise

5-961-06

1 A bill to be entitled
2 An act relating to the student assessment
3 program for public schools; amending s.
4 1008.22, F.S.; deleting obsolete provisions;
5 requiring that the student assessment program
6 include the identification of the readiness of
7 students to graduate from high school with a
8 special diploma; requiring that the Department
9 of Education develop and implement a battery of
10 assessment tools for students seeking a special
11 diploma; amending s. 1008.34, F.S.; requiring
12 that a school performance grade category
13 designation include achievement scores and
14 learning gains for students seeking a special
15 diploma; providing an effective date.

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17 Be It Enacted by the Legislature of the State of Florida:

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19 Section 1. Subsection (1) and paragraph (c) of
20 subsection (3) of section 1008.22, Florida Statutes, are
21 amended to read:

22 1008.22 Student assessment program for public
23 schools.--

24 (1) PURPOSE.--The primary purposes of the student
25 assessment program are to provide information needed to
26 improve the public schools by enhancing the learning gains of
27 all students and to inform parents of the educational progress
28 of their public school children. The program must be designed
29 to:

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1 (a) Assess the annual learning gains of each student
2 toward achieving the Sunshine State Standards appropriate for
3 the student's grade level.

4 (b) Provide data for making decisions regarding school
5 accountability and recognition.

6 (c) Identify the educational strengths and needs of
7 students and the readiness of students to be promoted to the
8 next grade level or to graduate from high school with a
9 standard or special high school diploma.

10 (d) Assess how well educational goals and performance
11 standards are met at the school, district, and state levels.

12 (e) Provide information to aid in the evaluation and
13 development of educational programs and policies.

14 (f) Provide information on the performance of Florida
15 students compared with others across the United States.

16 (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner
17 shall design and implement a statewide program of educational
18 assessment that provides information for the improvement of
19 the operation and management of the public schools, including
20 schools operating for the purpose of providing educational
21 services to youth in Department of Juvenile Justice programs.
22 The commissioner may enter into contracts for the continued
23 administration of the assessment, testing, and evaluation
24 programs authorized and funded by the Legislature. Contracts
25 may be initiated in 1 fiscal year and continue into the next
26 and may be paid from the appropriations of either or both
27 fiscal years. The commissioner is authorized to negotiate for
28 the sale or lease of tests, scoring protocols, test scoring
29 services, and related materials developed pursuant to law.
30 Pursuant to the statewide assessment program, the commissioner
31 shall:

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
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1 inadequate. The school districts shall provide appropriate
2 remedial instruction to students who score below these levels.

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

28 6. Participation in the testing program is mandatory
29 for all students attending public school, including students
30 served in Department of Juvenile Justice programs, except as
31 otherwise prescribed by the commissioner. If a student does

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

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

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

1 commissioner shall conduct studies as necessary to verify that
2 the required skills and competencies are part of the district
3 instructional programs.

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

10 10. The Department of Education must develop, or
11 select and implement, a common battery of assessment tools for
12 students seeking a special diploma. These tools must
13 accurately measure the skills and competencies established in
14 the Sunshine State Standards for students seeking a special
15 diploma.

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

20 Section 2. Subsection (3) of section 1008.34, Florida
21 Statutes, is amended to read:

22 1008.34 School grading system; district performance
23 grade.--

24 (3) DESIGNATION OF SCHOOL PERFORMANCE GRADE
25 CATEGORIES.--School performance grade category designations
26 itemized in subsection (2) shall be based on the following:

27 (a) Timeframes.--

28 1. School performance grade category designations
29 shall be based on the school's current year performance and
30 the school's annual learning gains.

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1 2. A school's performance grade category designation
2 shall be based on a combination of student achievement scores,
3 including achievement scores for students seeking a special
4 diploma; student learning gains as measured by annual FCAT
5 assessments in grades 3 through 10; learning gains as measured
6 by a common battery of assessment tools for students seeking a
7 special diploma; and improvement of the lowest 25th
8 percentile of students in the school in reading, math, or
9 writing on the FCAT, unless these students are performing
10 above satisfactory performance.

11 (b) Student assessment data.--Student assessment data
12 used in determining school performance grade categories shall
13 include:

14 1. The aggregate scores of all eligible students
15 enrolled in the school who have been assessed on the FCAT.

16 2. The aggregate scores of all eligible students
17 enrolled in the school who have been assessed on the FCAT,
18 including Florida Writes, and who have scored at or in the
19 lowest 25th percentile of students in the school in reading,
20 math, or writing, unless these students are performing above
21 satisfactory performance.

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23 The Department of Education shall study the effects of
24 mobility on the performance of highly mobile students and
25 recommend programs to improve the performance of the ~~such~~
26 students. The State Board of Education shall adopt appropriate
27 criteria for each school performance grade category. The
28 criteria must also give added weight to student achievement in
29 reading. Schools designated as performance grade category "C,"
30 making satisfactory progress, shall be required to demonstrate
31 that adequate progress has been made by students in the school

1 | who are in the lowest 25th percentile in reading, math, or
2 | writing on the FCAT, including Florida Writes, unless these
3 | students are performing above satisfactory performance.

4 | Section 3. This act shall take effect upon becoming a
5 | law.

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8 | SENATE SUMMARY

9 | Requires that the student assessment program for public
10 | schools include the identification of the readiness of
11 | students to graduate from high school with a special
12 | diploma. Requires that the Department of Education
13 | develop and implement a battery of assessment tools for
14 | students seeking a special diploma. Requires that a
15 | school performance grade category designation include
16 | achievement scores and learning gains for students
17 | seeking a special diploma.

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