

By Senator Wise

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1 A bill to be entitled

2 An act relating to education; amending s. 1001.03, F.S.;

3 specifying the student performance standards that must be

4 used for economics education and civics education;

5 amending s. 1008.22, F.S.; requiring the Commissioner of

6 Education to include social studies as part of the Florida

7 Comprehensive Assessment Test; providing an effective

8 date.

9

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

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12 Section 1. Subsection (1) of section 1001.03, Florida

13 Statutes, is amended to read:

14 1001.03 Specific powers of State Board of Education.--

15 (1) PUBLIC K-12 STUDENT PERFORMANCE STANDARDS.--The State

16 Board of Education shall approve the student performance

17 standards known as the Sunshine State Standards in key academic

18 subject areas and grade levels. The state board shall establish a

19 schedule to facilitate the periodic review of the standards to

20 ensure adequate rigor, relevance, logical student progression,

21 and the integration of reading, writing, and mathematics across

22 all subject areas. The ~~standards~~ review by subject area must

23 include participation of curriculum leaders in other content

24 areas, including the arts, to ensure valid content area

25 integration and to address the instructional requirements of

26 different learners learning styles. The 2008 revision of the

27 curriculum standards for social studies must include an emphasis

28 on the integration of economics education and civics education at

29 all grade levels, based on exemplary national standards and the

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30 frameworks provided by the National Standards for Civics and  
31 Government, respectively. The economics standards must be  
32 included in all appropriate state testing provisions and  
33 assessments as they are developed, with an emphasis on a basic  
34 level of literacy in economics. The civics standards must be  
35 included in all appropriate state testing provisions and  
36 assessments as they are developed, with an emphasis on student  
37 application, analysis, synthesis, and evaluation. The process and  
38 schedule for review and the design and implementation of the  
39 proposed revisions must include leadership and input from the  
40 state's classroom teachers, school administrators, ~~and~~ community  
41 colleges and universities, and ~~from~~ representatives from business  
42 and industry who are identified by local education foundations. A  
43 report including proposed revisions must be submitted to the  
44 Governor, the President of the Senate, and the Speaker of the  
45 House of Representatives annually to coincide with the  
46 established review schedule. The review schedule and an annual  
47 status report must be submitted to the Governor, the President of  
48 the Senate, and the Speaker of the House of Representatives  
49 annually not later than January 1.

50 Section 2. Paragraph (c) of subsection (3) of section  
51 1008.22, Florida Statutes, is amended to read:

52 1008.22 Student assessment program for public schools.--

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

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59 commissioner may enter into contracts for the continued  
60 administration of the assessment, testing, and evaluation  
61 programs authorized and funded by the Legislature. Contracts may  
62 be initiated in 1 fiscal year and continue into the next and may  
63 be paid from the appropriations of either or both fiscal years.  
64 The commissioner is authorized to negotiate for the sale or lease  
65 of tests, scoring protocols, test scoring services, and related  
66 materials developed pursuant to law. Pursuant to the statewide  
67 assessment program, the commissioner shall:

68 (c) Develop and implement a student achievement testing  
69 program known as the Florida Comprehensive Assessment Test (FCAT)  
70 as part of the statewide assessment program to measure reading,  
71 writing, science, and mathematics. The commissioner shall develop  
72 and administer a statewide assessment for social studies that  
73 includes an emphasis on the integration of economics education  
74 and civics education as required in s. 1001.03(1). Other content  
75 areas may be included as directed by the commissioner. The  
76 assessment of reading and mathematics shall be administered  
77 annually in grades 3 through 10. The assessment of writing and  
78 science shall be administered at least once at the elementary,  
79 middle, and high school levels. The assessment of social studies  
80 shall be administered at least once at the elementary, middle,  
81 and high school levels beginning with the 2013-2014 school year.  
82 The commissioner must document the procedures used to ensure that  
83 the versions of the FCAT which are taken by students retaking the  
84 grade 10 FCAT are equally as challenging and difficult as the  
85 tests taken by students in grade 10 which contain performance  
86 tasks. The testing program must be designed so that:

87 1. The tests measure student skills and competencies

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88 adopted by the State Board of Education as specified in paragraph  
89 (a). The tests must measure and report student proficiency levels  
90 ~~of all students assessed~~ in reading, writing, mathematics, and  
91 science. The commissioner shall provide for the tests to be  
92 developed or obtained, as appropriate, through contracts and  
93 project agreements with private vendors, public vendors, public  
94 agencies, postsecondary educational institutions, or school  
95 districts. The commissioner shall obtain input with respect to  
96 the design and implementation of the testing program from state  
97 educators, assistive technology experts, and the public.

98 2. The testing program will include a combination of norm-  
99 referenced and criterion-referenced tests and include, to the  
100 extent determined by the commissioner, questions that require the  
101 student to produce information or perform tasks in ~~such~~ a way  
102 that allows the skills and competencies he or she uses to ~~can~~ be  
103 measured.

104 3. Each testing program, whether at the elementary, middle,  
105 or high school level, must include a ~~includes a test of~~ writing  
106 test in which students are required to produce writings that are  
107 ~~then~~ scored by appropriate and timely methods.

108 4. A minimum score is designated for each subject area  
109 tested, below which ~~score~~ a student's performance is deemed  
110 inadequate. The school districts shall provide appropriate  
111 remedial instruction to students who score below these levels.

112 5. Except as provided in s. 1003.428(8)(b) or s.  
113 1003.43(11)(b), students must earn a passing score on the grade  
114 10 assessment test described in this paragraph or attain  
115 concordant scores as described in subsection (9) in reading,  
116 writing, and mathematics to qualify for a standard high school

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117 diploma. The State Board of Education shall designate a passing  
118 score for each part of the grade 10 assessment test. In  
119 establishing passing scores, the state board shall consider any  
120 possible negative impact of the test on minority students. The  
121 State Board of Education shall adopt rules that ~~which~~ specify the  
122 passing scores for the grade 10 FCAT. Any ~~such~~ rules that, ~~which~~  
123 have the effect of raising the required passing scores, shall  
124 only apply to students taking the grade 10 FCAT for the first  
125 time after such rules are adopted ~~by the State Board of~~  
126 ~~Education.~~

127         6. Participation in the testing program is mandatory for  
128 all students attending public school, including students served  
129 in Department of Juvenile Justice programs, except as otherwise  
130 prescribed by the commissioner. If a student does not participate  
131 in the statewide assessment, the district must notify the  
132 student's parent and provide the parent with information  
133 regarding the implications of such nonparticipation. A parent  
134 must provide signed consent for a student to receive classroom  
135 instructional accommodations that would not be available or  
136 permitted on the statewide assessments and must acknowledge in  
137 writing that he or she understands the implications of such  
138 instructional accommodations. The State Board of Education shall  
139 adopt rules, based upon recommendations of the commissioner, for  
140 the provision of test accommodations for students in exceptional  
141 education programs and for students who have limited English  
142 proficiency. Accommodations that negate the validity of a  
143 statewide assessment are not allowable in the administration of  
144 the FCAT. However, instructional accommodations are allowable in  
145 the classroom if included in a student's individual education

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146 plan. Students using instructional accommodations in the  
147 classroom that are not allowable as accommodations on the FCAT  
148 may have the FCAT requirement waived pursuant to the requirements  
149 of s. 1003.428(8)(b) or s. 1003.43(11)(b).

150 7. A student seeking an adult high school diploma must meet  
151 the same testing requirements that a regular high school student  
152 must meet.

153 8. District school boards must provide instruction to  
154 prepare students to demonstrate proficiency in the skills and  
155 competencies necessary for successful grade-to-grade progression  
156 and high school graduation. If a student is provided with  
157 instructional accommodations in the classroom that are not  
158 allowable as accommodations in the statewide assessment program,  
159 as described in the test manuals, the district must inform the  
160 parent in writing and must provide the parent with information  
161 regarding the impact on the student's ability to meet expected  
162 proficiency levels in reading, writing, and math. The  
163 commissioner shall conduct studies as necessary to verify that  
164 the required skills and competencies are part of the district  
165 instructional programs.

166 9. District school boards must provide opportunities for  
167 students to demonstrate an acceptable level of performance on an  
168 alternative standardized assessment approved by the State Board  
169 of Education following enrollment in summer academies.

170 10. The Department of Education must develop<sup>r</sup> or select<sup>r</sup>  
171 and implement a common battery of assessment tools that will be  
172 used in all juvenile justice programs in the state. These tools  
173 must accurately measure the skills and competencies established  
174 in the Sunshine State Standards.

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175           11. For students seeking a special diploma pursuant to s.  
176 1003.438, the Department of Education must develop or select and  
177 implement an alternate assessment tool that accurately measures  
178 the skills and competencies established in the Sunshine State  
179 Standards for students with disabilities under s. 1003.438.

180  
181 The commissioner may, based on collaboration and input from  
182 school districts, design and implement student testing programs,  
183 for any grade level and subject area, necessary to effectively  
184 monitor educational achievement in the state, including the  
185 measurement of educational achievement of the Sunshine State  
186 Standards for students with disabilities. Development and  
187 refinement of assessments shall include universal design  
188 principles and accessibility standards that will prevent any  
189 unintended obstacles for students with disabilities while  
190 ensuring the validity and reliability of the test. These  
191 principles should be applicable to all technology platforms and  
192 assistive devices available for the assessments. The field  
193 testing process and psychometric analyses for the statewide  
194 assessment program must include an appropriate percentage of  
195 students with disabilities and an evaluation or determination of  
196 the effect of test items on such students.

197           Section 3. This act shall take effect upon becoming a law.