

1 A bill to be entitled
 2 An act relating to middle school civics education
 3 assessment; amending s. 1003.4156, F.S.; providing
 4 requirements for a civics education course that a student
 5 must successfully complete for middle grades promotion
 6 beginning with students entering grade 6 in the 2011-2012
 7 school year; amending s. 1008.22, F.S.; requiring the
 8 administration of an end-of-course assessment in civics
 9 education as a field test at the middle school level
 10 during the 2011-2012 school year; providing requirements
 11 for course grade and course credit for subsequent school
 12 years; amending s. 1008.34, F.S.; requiring the inclusion
 13 of civics education end-of-course assessment data in
 14 determining school grades beginning with the 2012-2013
 15 school year; providing an effective date.

16
 17 Be It Enacted by the Legislature of the State of Florida:

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 19 Section 1. Paragraph (a) of subsection (1) of section
 20 1003.4156, Florida Statutes, is amended to read:

21 1003.4156 General requirements for middle grades
 22 promotion.--

23 (1) Beginning with students entering grade 6 in the 2006-
 24 2007 school year, promotion from a school composed of middle
 25 grades 6, 7, and 8 requires that:

26 (a) The student must successfully complete academic
 27 courses as follows:

28 | 1. Three middle school or higher courses in English. These
29 | courses shall emphasize literature, composition, and technical
30 | text.

31 | 2. Three middle school or higher courses in mathematics.
32 | Each middle school must offer at least one high school level
33 | mathematics course for which students may earn high school
34 | credit.

35 | 3. Three middle school or higher courses in social
36 | studies, one semester of which must include the study of state
37 | and federal government and civics education. Beginning with
38 | students entering grade 6 in the 2011-2012 school year, one of
39 | these courses must be a one-semester civics education course
40 | that a student successfully completes in accordance with s.
41 | 1008.22(3)(c) and that includes the roles and responsibilities
42 | of federal, state, and local governments; the structures and
43 | functions of the legislative, executive, and judicial branches
44 | of government; and the meaning and significance of historic
45 | documents, such as the Articles of Confederation, the
46 | Declaration of Independence, and the Constitution of the United
47 | States.

48 | 4. Three middle school or higher courses in science.

49 | 5. One course in career and education planning to be
50 | completed in 7th or 8th grade. The course may be taught by any
51 | member of the instructional staff; must include career
52 | exploration using CHOICES for the 21st Century or a comparable
53 | cost-effective program; must include educational planning using
54 | the online student advising system known as Florida Academic
55 | Counseling and Tracking for Students at the Internet website

56 | FACTS.org; and shall result in the completion of a personalized
57 | academic and career plan.

58 |

59 | Each school must hold a parent meeting either in the evening or
60 | on a weekend to inform parents about the course curriculum and
61 | activities. Each student shall complete an electronic personal
62 | education plan that must be signed by the student; the student's
63 | instructor, guidance counselor, or academic advisor; and the
64 | student's parent. By January 1, 2007, the Department of
65 | Education shall develop course frameworks and professional
66 | development materials for the career exploration and education
67 | planning course. The course may be implemented as a stand-alone
68 | course or integrated into another course or courses. The
69 | Commissioner of Education shall collect longitudinal high school
70 | course enrollment data by student ethnicity in order to analyze
71 | course-taking patterns.

72 | Section 2. Paragraph (c) of subsection (3) of section
73 | 1008.22, Florida Statutes, is amended to read:

74 | 1008.22 Student assessment program for public schools.--

75 | (3) STATEWIDE ASSESSMENT PROGRAM.--The commissioner shall
76 | design and implement a statewide program of educational
77 | assessment that provides information for the improvement of the
78 | operation and management of the public schools, including
79 | schools operating for the purpose of providing educational
80 | services to youth in Department of Juvenile Justice programs.
81 | The commissioner may enter into contracts for the continued
82 | administration of the assessment, testing, and evaluation
83 | programs authorized and funded by the Legislature. Contracts may

84 be initiated in 1 fiscal year and continue into the next and may
85 be paid from the appropriations of either or both fiscal years.
86 The commissioner is authorized to negotiate for the sale or
87 lease of tests, scoring protocols, test scoring services, and
88 related materials developed pursuant to law. Pursuant to the
89 statewide assessment program, the commissioner shall:

90 (c) Develop and implement a student achievement testing
91 program known as the Florida Comprehensive Assessment Test
92 (FCAT) as part of the statewide assessment program to measure a
93 student's content knowledge and skills in reading, writing,
94 science, and mathematics. Other content areas may be included as
95 directed by the commissioner. Comprehensive assessments of
96 reading and mathematics shall be administered annually in grades
97 3 through 10. Comprehensive assessments of writing and science
98 shall be administered at least once at the elementary, middle,
99 and high school levels. End-of-course assessments for a subject
100 may be administered in addition to the comprehensive assessments
101 required for that subject under this paragraph. An end-of-course
102 assessment must be rigorous, statewide, standardized, and
103 developed or approved by the department. The content knowledge
104 and skills assessed by comprehensive and end-of-course
105 assessments must be aligned to the core curricular content
106 established in the Sunshine State Standards. During the 2011-
107 2012 school year, an end-of-course assessment in civics
108 education shall be administered as a field test at the middle
109 school level. During the 2012-2013 school year, each student's
110 performance on the statewide, standardized end-of-course
111 assessment in civics education shall constitute 30 percent of

112 the student's final course grade. Beginning with the 2013-2014
113 school year, a student must earn a passing score on the end-of-
114 course assessment in civics education in order to pass the
115 course and receive course credit. The commissioner may select
116 one or more nationally developed comprehensive examinations,
117 which may include, but need not be limited to, examinations for
118 a College Board Advanced Placement course, International
119 Baccalaureate course, or Advanced International Certificate of
120 Education course or industry-approved examinations to earn
121 national industry certifications as defined in s. 1003.492, for
122 use as end-of-course assessments under this paragraph, if the
123 commissioner determines that the content knowledge and skills
124 assessed by the examinations meet or exceed the grade level
125 expectations for the core curricular content established for the
126 course in the Next Generation Sunshine State Standards. The
127 commissioner may collaborate with the American Diploma Project
128 in the adoption or development of rigorous end-of-course
129 assessments that are aligned to the Next Generation Sunshine
130 State Standards. The testing program must be designed as
131 follows:

132 1. The tests shall measure student skills and competencies
133 adopted by the State Board of Education as specified in
134 paragraph (a). The tests must measure and report student
135 proficiency levels of all students assessed in reading, writing,
136 mathematics, and science. The commissioner shall provide for the
137 tests to be developed or obtained, as appropriate, through
138 contracts and project agreements with private vendors, public
139 vendors, public agencies, postsecondary educational

140 institutions, or school districts. The commissioner shall obtain
141 input with respect to the design and implementation of the
142 testing program from state educators, assistive technology
143 experts, and the public.

144 2. The testing program shall be composed of criterion-
145 referenced tests that shall, to the extent determined by the
146 commissioner, include test items that require the student to
147 produce information or perform tasks in such a way that the core
148 content knowledge and skills he or she uses can be measured.

149 3. Beginning with the 2008-2009 school year, the
150 commissioner shall discontinue administration of the selected-
151 response test items on the comprehensive assessments of writing.
152 Beginning with the 2012-2013 school year, the comprehensive
153 assessments of writing shall be composed of a combination of
154 selected-response test items, short-response performance tasks,
155 and extended-response performance tasks, which shall measure a
156 student's content knowledge of writing, including, but not
157 limited to, paragraph and sentence structure, sentence
158 construction, grammar and usage, punctuation, capitalization,
159 spelling, parts of speech, verb tense, irregular verbs, subject-
160 verb agreement, and noun-pronoun agreement.

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

165 5. Except as provided in s. 1003.428(8)(b) or s.
166 1003.43(11)(b), students must earn a passing score on the grade
167 10 assessment test described in this paragraph or attain

168 concordant scores as described in subsection (10) in reading,
169 writing, and mathematics to qualify for a standard high school
170 diploma. The State Board of Education shall designate a passing
171 score for each part of the grade 10 assessment test. In
172 establishing passing scores, the state board shall consider any
173 possible negative impact of the test on minority students. The
174 State Board of Education shall adopt rules which specify the
175 passing scores for the grade 10 FCAT. Any such rules, which have
176 the effect of raising the required passing scores, shall apply
177 only to students taking the grade 10 FCAT for the first time
178 after such rules are adopted by the State Board of Education.

179 6. Participation in the testing program is mandatory for
180 all students attending public school, including students served
181 in Department of Juvenile Justice programs, except as otherwise
182 prescribed by the commissioner. If a student does not
183 participate in the statewide assessment, the district must
184 notify the student's parent and provide the parent with
185 information regarding the implications of such nonparticipation.
186 A parent must provide signed consent for a student to receive
187 classroom instructional accommodations that would not be
188 available or permitted on the statewide assessments and must
189 acknowledge in writing that he or she understands the
190 implications of such instructional accommodations. The State
191 Board of Education shall adopt rules, based upon recommendations
192 of the commissioner, for the provision of test accommodations
193 for students in exceptional education programs and for students
194 who have limited English proficiency. Accommodations that negate
195 the validity of a statewide assessment are not allowable in the

196 administration of the FCAT. However, instructional
197 accommodations are allowable in the classroom if included in a
198 student's individual education plan. Students using
199 instructional accommodations in the classroom that are not
200 allowable as accommodations on the FCAT may have the FCAT
201 requirement waived pursuant to the requirements of s.
202 1003.428(8)(b) or s. 1003.43(11)(b).

203 7. A student seeking an adult high school diploma must
204 meet the same testing requirements that a regular high school
205 student must meet.

206 8. District school boards must provide instruction to
207 prepare students to demonstrate proficiency in the core
208 curricular content established in the Next Generation Sunshine
209 State Standards adopted under s. 1003.41, including the core
210 content knowledge and skills necessary for successful grade-to-
211 grade progression and high school graduation. If a student is
212 provided with instructional accommodations in the classroom that
213 are not allowable as accommodations in the statewide assessment
214 program, as described in the test manuals, the district must
215 inform the parent in writing and must provide the parent with
216 information regarding the impact on the student's ability to
217 meet expected proficiency levels in reading, writing, and
218 mathematics. The commissioner shall conduct studies as necessary
219 to verify that the required core curricular content is part of
220 the district instructional programs.

221 9. District school boards must provide opportunities for
222 students to demonstrate an acceptable level of performance on an

223 alternative standardized assessment approved by the State Board
224 of Education following enrollment in summer academies.

225 10. The Department of Education must develop, or select,
226 and implement a common battery of assessment tools that will be
227 used in all juvenile justice programs in the state. These tools
228 must accurately measure the core curricular content established
229 in the Sunshine State Standards.

230 11. For students seeking a special diploma pursuant to s.
231 1003.438, the Department of Education must develop or select and
232 implement an alternate assessment tool that accurately measures
233 the core curricular content established in the Sunshine State
234 Standards for students with disabilities under s. 1003.438.

235 12. The Commissioner of Education shall establish
236 schedules for the administration of statewide assessments and
237 the reporting of student test results. The commissioner shall,
238 by August 1 of each year, notify each school district in writing
239 and publish on the department's Internet website the testing and
240 reporting schedules for, at a minimum, the school year following
241 the upcoming school year. The testing and reporting schedules
242 shall require that:

243 a. There is the latest possible administration of
244 statewide assessments and the earliest possible reporting to the
245 school districts of student test results which is feasible
246 within available technology and specific appropriations;
247 however, test results must be made available no later than the
248 final day of the regular school year for students.

249 b. Beginning with the 2010-2011 school year, a
250 comprehensive statewide assessment of writing is not

251 administered earlier than the week of March 1 and a
 252 comprehensive statewide assessment of any other subject is not
 253 administered earlier than the week of April 15.

254 c. A statewide standardized end-of-course assessment is
 255 administered within the last 2 weeks of the course.

256

257 The commissioner may, based on collaboration and input from
 258 school districts, design and implement student testing programs,
 259 for any grade level and subject area, necessary to effectively
 260 monitor educational achievement in the state, including the
 261 measurement of educational achievement of the Sunshine State
 262 Standards for students with disabilities. Development and
 263 refinement of assessments shall include universal design
 264 principles and accessibility standards that will prevent any
 265 unintended obstacles for students with disabilities while
 266 ensuring the validity and reliability of the test. These
 267 principles should be applicable to all technology platforms and
 268 assistive devices available for the assessments. The field
 269 testing process and psychometric analyses for the statewide
 270 assessment program must include an appropriate percentage of
 271 students with disabilities and an evaluation or determination of
 272 the effect of test items on such students.

273 Section 3. Paragraph (c) of subsection (3) of section
 274 1008.34, Florida Statutes, is amended to read:

275 1008.34 School grading system; school report cards;
 276 district grade.--

277 (3) DESIGNATION OF SCHOOL GRADES.--

278 (c) Student assessment data used in determining school
279 grades shall include:

280 1. The aggregate scores of all eligible students enrolled
281 in the school who have been assessed on the FCAT and, beginning
282 with the 2012-2013 school year, the statewide, standardized end-
283 of-course assessment in civics education at the middle school
284 level.

285 2. The aggregate scores of all eligible students enrolled
286 in the school who have been assessed on the FCAT and who have
287 scored at or in the lowest 25th percentile of students in the
288 school in reading, mathematics, or writing, unless these
289 students are exhibiting satisfactory performance.

290 3. Effective with the 2005-2006 school year, the
291 achievement scores and learning gains of eligible students
292 attending alternative schools that provide dropout prevention
293 and academic intervention services pursuant to s. 1003.53. The
294 term "eligible students" in this subparagraph does not include
295 students attending an alternative school who are subject to
296 district school board policies for expulsion for repeated or
297 serious offenses, who are in dropout retrieval programs serving
298 students who have officially been designated as dropouts, or who
299 are in programs operated or contracted by the Department of
300 Juvenile Justice. The student performance data for eligible
301 students identified in this subparagraph shall be included in
302 the calculation of the home school's grade. As used in this
303 section and s. 1008.341, the term "home school" means the school
304 to which the student would be assigned if the student were not
305 assigned to an alternative school. If an alternative school

306 chooses to be graded under this section, student performance
307 data for eligible students identified in this subparagraph shall
308 not be included in the home school's grade but shall be included
309 only in the calculation of the alternative school's grade. A
310 school district that fails to assign the FCAT scores of each of
311 its students to his or her home school or to the alternative
312 school that receives a grade shall forfeit Florida School
313 Recognition Program funds for 1 fiscal year. School districts
314 must require collaboration between the home school and the
315 alternative school in order to promote student success. This
316 collaboration must include an annual discussion between the
317 principal of the alternative school and the principal of each
318 student's home school concerning the most appropriate school
319 assignment of the student.

320 4. Beginning with the 2009-2010 school year for schools
321 comprised of high school grades 9, 10, 11, and 12, or grades 10,
322 11, and 12, the data listed in subparagraphs 1.-3. and the
323 following data as the Department of Education determines such
324 data are valid and available:

325 a. The high school graduation rate of the school as
326 calculated by the Department of Education;

327 b. The participation rate of all eligible students
328 enrolled in the school and enrolled in College Board Advanced
329 Placement courses; International Baccalaureate courses; dual
330 enrollment courses; Advanced International Certificate of
331 Education courses; and courses or sequence of courses leading to
332 industry certification, as determined by the Agency for

333 Workforce Innovation under s. 1003.492(2) in a career and
 334 professional academy, as described in s. 1003.493;

335 c. The aggregate scores of all eligible students enrolled
 336 in the school in College Board Advanced Placement courses,
 337 International Baccalaureate courses, and Advanced International
 338 Certificate of Education courses;

339 d. Earning of college credit by all eligible students
 340 enrolled in the school in dual enrollment programs under s.
 341 1007.271;

342 e. Earning of an industry certification, as determined by
 343 the Agency for Workforce Innovation under s. 1003.492(2) in a
 344 career and professional academy, as described in s. 1003.493;

345 f. The aggregate scores of all eligible students enrolled
 346 in the school in reading, mathematics, and other subjects as
 347 measured by the SAT, the ACT, and the common placement test for
 348 postsecondary readiness;

349 g. The high school graduation rate of all eligible at-risk
 350 students enrolled in the school who scored at Level 2 or lower
 351 on the grade 8 FCAT Reading and Mathematics examinations;

352 h. The performance of the school's students on statewide
 353 standardized end-of-course assessments administered under s.
 354 1008.22; and

355 i. The growth or decline in the data components listed in
 356 sub-subparagraphs a.-h. from year to year.

357
 358 The State Board of Education shall adopt appropriate criteria
 359 for each school grade. The criteria must also give added weight
 360 to student achievement in reading. Schools designated with a

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361 grade of "C," making satisfactory progress, shall be required to
362 demonstrate that adequate progress has been made by students in
363 the school who are in the lowest 25th percentile in reading,
364 mathematics, or writing on the FCAT, unless these students are
365 exhibiting satisfactory performance. Beginning with the 2009-
366 2010 school year for schools comprised of high school grades 9,
367 10, 11, and 12, or grades 10, 11, and 12, the criteria for
368 school grades must also give added weight to the graduation rate
369 of all eligible at-risk students, as defined in this paragraph.
370 Beginning in the 2009-2010 school year, in order for a high
371 school to be designated as having a grade of "A," making
372 excellent progress, the school must demonstrate that at-risk
373 students, as defined in this paragraph, in the school are making
374 adequate progress.

375 Section 4. This act shall take effect July 1, 2009.