

FOR CONSIDERATION By the Committee on Education Pre-K - 12

581-01982-11

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1 A bill to be entitled

2 An act relating to the student assessment program for
3 public schools; amending s. 1008.22, F.S.; deleting a
4 provision requiring that certain middle school
5 students who earned high school credit in Algebra I
6 take the Algebra I end-of-course assessment during the
7 2010-2011 school year; providing an effective date.
8

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

11 Section 1. Paragraph (c) of subsection (3) of section
12 1008.22, Florida Statutes, is amended to read:

13 1008.22 Student assessment program for public schools.—

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

29 (c) Develop and implement a student achievement testing

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30 program as follows:

31 1. The Florida Comprehensive Assessment Test (FCAT)
32 measures a student's content knowledge and skills in reading,
33 writing, science, and mathematics. The content knowledge and
34 skills assessed by the FCAT must be aligned to the core
35 curricular content established in the Next Generation Sunshine
36 State Standards. Other content areas may be included as directed
37 by the commissioner. Comprehensive assessments of reading and
38 mathematics shall be administered annually in grades 3 through
39 10 except, beginning with the 2010-2011 school year, the
40 administration of grade 9 FCAT Mathematics shall be
41 discontinued, and beginning with the 2011-2012 school year, the
42 administration of grade 10 FCAT Mathematics shall be
43 discontinued, except as required for students who have not
44 attained minimum performance expectations for graduation as
45 provided in paragraph (9)(c). FCAT Writing and FCAT Science
46 shall be administered at least once at the elementary, middle,
47 and high school levels except, beginning with the 2011-2012
48 school year, the administration of FCAT Science at the high
49 school level shall be discontinued.

50 2.a. End-of-course assessments for a subject shall be
51 administered in addition to the comprehensive assessments
52 required under subparagraph 1. End-of-course assessments must be
53 rigorous, statewide, standardized, and developed or approved by
54 the department. The content knowledge and skills assessed by
55 end-of-course assessments must be aligned to the core curricular
56 content established in the Next Generation Sunshine State
57 Standards.

58 (I) Statewide, standardized end-of-course assessments in

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59 mathematics shall be administered according to this sub-sub-
60 subparagraph. Beginning with the 2010-2011 school year, all
61 students enrolled in Algebra I or an equivalent course must take
62 the Algebra I end-of-course assessment. ~~Students who earned high~~
63 ~~school credit in Algebra I while in grades 6 through 8 during~~
64 ~~the 2007-2008 through 2009-2010 school years and who have not~~
65 ~~taken Grade 10 FCAT Mathematics must take the Algebra I end-of-~~
66 ~~course assessment during the 2010-2011 school year.~~ For students
67 entering grade 9 during the 2010-2011 school year and who are
68 enrolled in Algebra I or an equivalent, each student's
69 performance on the end-of-course assessment in Algebra I shall
70 constitute 30 percent of the student's final course grade.
71 Beginning with students entering grade 9 in the 2011-2012 school
72 year, a student who is enrolled in Algebra I or an equivalent
73 must earn a passing score on the end-of-course assessment in
74 Algebra I or attain an equivalent score as described in
75 subsection (11) in order to earn course credit. Beginning with
76 the 2011-2012 school year, all students enrolled in geometry or
77 an equivalent course must take the geometry end-of-course
78 assessment. For students entering grade 9 during the 2011-2012
79 school year, each student's performance on the end-of-course
80 assessment in geometry shall constitute 30 percent of the
81 student's final course grade. Beginning with students entering
82 grade 9 during the 2012-2013 school year, a student must earn a
83 passing score on the end-of-course assessment in geometry or
84 attain an equivalent score as described in subsection (11) in
85 order to earn course credit.

86 (II) Statewide, standardized end-of-course assessments in
87 science shall be administered according to this sub-sub-

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88 subparagraph. Beginning with the 2011-2012 school year, all
89 students enrolled in Biology I or an equivalent course must take
90 the Biology I end-of-course assessment. For the 2011-2012 school
91 year, each student's performance on the end-of-course assessment
92 in Biology I shall constitute 30 percent of the student's final
93 course grade. Beginning with students entering grade 9 during
94 the 2012-2013 school year, a student must earn a passing score
95 on the end-of-course assessment in Biology I in order to earn
96 course credit.

97 b. During the 2012-2013 school year, an end-of-course
98 assessment in civics education shall be administered as a field
99 test at the middle school level. During the 2013-2014 school
100 year, each student's performance on the statewide, standardized
101 end-of-course assessment in civics education shall constitute 30
102 percent of the student's final course grade. Beginning with the
103 2014-2015 school year, a student must earn a passing score on
104 the end-of-course assessment in civics education in order to
105 pass the course and receive course credit.

106 c. The commissioner may select one or more nationally
107 developed comprehensive examinations, which may include, but
108 need not be limited to, examinations for a College Board
109 Advanced Placement course, International Baccalaureate course,
110 or Advanced International Certificate of Education course, or
111 industry-approved examinations to earn national industry
112 certifications identified in the Industry Certification Funding
113 List, pursuant to rules adopted by the State Board of Education,
114 for use as end-of-course assessments under this paragraph, if
115 the commissioner determines that the content knowledge and
116 skills assessed by the examinations meet or exceed the grade

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117 level expectations for the core curricular content established
118 for the course in the Next Generation Sunshine State Standards.
119 The commissioner may collaborate with the American Diploma
120 Project in the adoption or development of rigorous end-of-course
121 assessments that are aligned to the Next Generation Sunshine
122 State Standards.

123 d. Contingent upon funding provided in the General
124 Appropriations Act, including the appropriation of funds
125 received through federal grants, the Commissioner of Education
126 shall establish an implementation schedule for the development
127 and administration of additional statewide, standardized end-of-
128 course assessments in English/Language Arts II, Algebra II,
129 chemistry, physics, earth/space science, United States history,
130 and world history. Priority shall be given to the development of
131 end-of-course assessments in English/Language Arts II. The
132 Commissioner of Education shall evaluate the feasibility and
133 effect of transitioning from the grade 9 and grade 10 FCAT
134 Reading and high school level FCAT Writing to an end-of-course
135 assessment in English/Language Arts II. The commissioner shall
136 report the results of the evaluation to the President of the
137 Senate and the Speaker of the House of Representatives no later
138 than July 1, 2011.

139 3. The testing program shall measure student content
140 knowledge and skills adopted by the State Board of Education as
141 specified in paragraph (a) and measure and report student
142 performance levels of all students assessed in reading, writing,
143 mathematics, and science. The commissioner shall provide for the
144 tests to be developed or obtained, as appropriate, through
145 contracts and project agreements with private vendors, public

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146 vendors, public agencies, postsecondary educational
147 institutions, or school districts. The commissioner shall obtain
148 input with respect to the design and implementation of the
149 testing program from state educators, assistive technology
150 experts, and the public.

151 4. The testing program shall be composed of criterion-
152 referenced tests that shall, to the extent determined by the
153 commissioner, include test items that require the student to
154 produce information or perform tasks in such a way that the core
155 content knowledge and skills he or she uses can be measured.

156 5. FCAT Reading, Mathematics, and Science and all
157 statewide, standardized end-of-course assessments shall measure
158 the content knowledge and skills a student has attained on the
159 assessment by the use of scaled scores and achievement levels.
160 Achievement levels shall range from 1 through 5, with level 1
161 being the lowest achievement level, level 5 being the highest
162 achievement level, and level 3 indicating satisfactory
163 performance on an assessment. For purposes of FCAT Writing,
164 student achievement shall be scored using a scale of 1 through 6
165 and the score earned shall be used in calculating school grades.
166 A score shall be designated for each subject area tested, below
167 which score a student's performance is deemed inadequate. The
168 school districts shall provide appropriate remedial instruction
169 to students who score below these levels.

170 6. The State Board of Education shall, by rule, designate a
171 passing score for each part of the grade 10 assessment test and
172 end-of-course assessments. Any rule that has the effect of
173 raising the required passing scores may apply only to students
174 taking the assessment for the first time after the rule is

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175 adopted by the State Board of Education. Except as otherwise
176 provided in this subparagraph and as provided in s.
177 1003.428(8)(b) or s. 1003.43(11)(b), students must earn a
178 passing score on grade 10 FCAT Reading and grade 10 FCAT
179 Mathematics or attain concordant scores as described in
180 subsection (10) in order to qualify for a standard high school
181 diploma.

182 7. In addition to designating a passing score under
183 subparagraph 6., the State Board of Education shall also
184 designate, by rule, a score for each statewide, standardized
185 end-of-course assessment which indicates that a student is high
186 achieving and has the potential to meet college-readiness
187 standards by the time the student graduates from high school.

188 8. Participation in the testing program is mandatory for
189 all students attending public school, including students served
190 in Department of Juvenile Justice programs, except as otherwise
191 prescribed by the commissioner. A student who has not earned
192 passing scores on the grade 10 FCAT as provided in subparagraph
193 6. must participate in each retake of the assessment until the
194 student earns passing scores or achieves scores on a
195 standardized assessment which are concordant with passing scores
196 pursuant to subsection (10). If a student does not participate
197 in the statewide assessment, the district must notify the
198 student's parent and provide the parent with information
199 regarding the implications of such nonparticipation. A parent
200 must provide signed consent for a student to receive classroom
201 instructional accommodations that would not be available or
202 permitted on the statewide assessments and must acknowledge in
203 writing that he or she understands the implications of such

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204 instructional accommodations. The State Board of Education shall
205 adopt rules, based upon recommendations of the commissioner, for
206 the provision of test accommodations for students in exceptional
207 education programs and for students who have limited English
208 proficiency. Accommodations that negate the validity of a
209 statewide assessment are not allowable in the administration of
210 the FCAT or an end-of-course assessment. However, instructional
211 accommodations are allowable in the classroom if included in a
212 student's individual education plan. Students using
213 instructional accommodations in the classroom that are not
214 allowable as accommodations on the FCAT or an end-of-course
215 assessment may have the FCAT or an end-of-course assessment
216 requirement waived pursuant to the requirements of s.
217 1003.428(8)(b) or s. 1003.43(11)(b).

218 9. A student seeking an adult high school diploma must meet
219 the same testing requirements that a regular high school student
220 must meet.

221 10. District school boards must provide instruction to
222 prepare students in the core curricular content established in
223 the Next Generation Sunshine State Standards adopted under s.
224 1003.41, including the core content knowledge and skills
225 necessary for successful grade-to-grade progression and high
226 school graduation. If a student is provided with instructional
227 accommodations in the classroom that are not allowable as
228 accommodations in the statewide assessment program, as described
229 in the test manuals, the district must inform the parent in
230 writing and must provide the parent with information regarding
231 the impact on the student's ability to meet expected performance
232 levels in reading, writing, mathematics, and science. The

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233 commissioner shall conduct studies as necessary to verify that
234 the required core curricular content is part of the district
235 instructional programs.

236 11. District school boards must provide opportunities for
237 students to demonstrate an acceptable performance level on an
238 alternative standardized assessment approved by the State Board
239 of Education following enrollment in summer academies.

240 12. The Department of Education must develop, or select,
241 and implement a common battery of assessment tools that will be
242 used in all juvenile justice programs in the state. These tools
243 must accurately measure the core curricular content established
244 in the Next Generation Sunshine State Standards.

245 13. For students seeking a special diploma pursuant to s.
246 1003.438, the Department of Education must develop or select and
247 implement an alternate assessment tool that accurately measures
248 the core curricular content established in the Next Generation
249 Sunshine State Standards for students with disabilities under s.
250 1003.438.

251 14. The Commissioner of Education shall establish schedules
252 for the administration of statewide assessments and the
253 reporting of student test results. When establishing the
254 schedules for the administration of statewide assessments, the
255 commissioner shall consider the observance of religious and
256 school holidays. The commissioner shall, by August 1 of each
257 year, notify each school district in writing and publish on the
258 department's Internet website the testing and reporting
259 schedules for, at a minimum, the school year following the
260 upcoming school year. The testing and reporting schedules shall
261 require that:

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262 a. There is the latest possible administration of statewide
263 assessments and the earliest possible reporting to the school
264 districts of student test results which is feasible within
265 available technology and specific appropriations; however, test
266 results for the FCAT must be made available no later than the
267 week of June 8. Student results for end-of-course assessments
268 must be provided no later than 1 week after the school district
269 completes testing for each course.

270 b. Beginning with the 2010-2011 school year, FCAT Writing
271 is not administered earlier than the week of March 1 and a
272 comprehensive statewide assessment of any other subject is not
273 administered earlier than the week of April 15.

274 c. A statewide, standardized end-of-course assessment is
275 administered during a 3-week period at the end of the course.
276 The commissioner shall select a 3-week administration period for
277 assessments that meets the intent of end-of-course assessments
278 and provides student results prior to the end of the course.
279 School districts shall select 1 testing week within the 3-week
280 administration period for each end-of-course assessment. For an
281 end-of-course assessment administered at the end of the first
282 semester, the commissioner shall determine the most appropriate
283 testing dates based on a school district's academic calendar.

284
285 The commissioner may, based on collaboration and input from
286 school districts, design and implement student testing programs,
287 for any grade level and subject area, necessary to effectively
288 monitor educational achievement in the state, including the
289 measurement of educational achievement of the Next Generation
290 Sunshine State Standards for students with disabilities.

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291 Development and refinement of assessments shall include
292 universal design principles and accessibility standards that
293 will prevent any unintended obstacles for students with
294 disabilities while ensuring the validity and reliability of the
295 test. These principles should be applicable to all technology
296 platforms and assistive devices available for the assessments.
297 The field testing process and psychometric analyses for the
298 statewide assessment program must include an appropriate
299 percentage of students with disabilities and an evaluation or
300 determination of the effect of test items on such students.

301 Section 2. This act shall take effect upon becoming a law.