



715208

LEGISLATIVE ACTION

Senate

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House

Senator Bullard moved the following:

Senate Amendment (with title amendment)

Between lines 1265 and 1266

insert:

Section 8. Subsection (7) of section 1008.34, Florida Statutes, as amended by chapter 2015-6, Laws of Florida, is amended to read:

1008.34 School grading system; school report cards; district grade.—

(7) TRANSITION.—School grades pursuant to this section and school improvement ratings pursuant to s. 1008.341 for the 2013-



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12 2014 school year shall be calculated based on statutes and rules
13 in effect on June 30, 2014. To assist in the transition to 2014-
14 2015 school grades and school improvement ratings, calculated
15 based on new statewide, standardized assessments administered
16 pursuant to s. 1008.22, the 2014-2015 school grades and school
17 improvement ratings shall serve as an informational baseline for
18 schools to work toward improved performance in future years.
19 Notwithstanding any other provision of law, the 2014-2015 school
20 year shall be considered an implementation year for the new
21 statewide, standardized assessments. Learning gains data from
22 2014-2015 test scores may not be used in the calculation of
23 school grades, school improvement grades, district grades, or
24 personnel performance evaluations pursuant to s. 1012.34 if such
25 use would result in a lower grade or level of performance than
26 the grade or level of performance which would result without the
27 use of learning gains data. Accordingly, notwithstanding any
28 other provision of law:

29 (a) A school may not be required to select and implement a
30 turnaround option pursuant to s. 1008.33 in the 2015-2016 school
31 year based on the school's 2014-2015 grade or school improvement
32 rating under s. 1008.341, as applicable. The benefits of s.
33 1008.33(4)(c), relating to a school being released from
34 implementation of the turnaround option, and s. 1008.33(4)(d),
35 relating to a school implementing strategies identified in its
36 school improvement plan, apply to a school using turnaround
37 options pursuant to s. 1008.33 which improves at least one
38 letter grade during the 2014-2015 school year.

39 (b)1. A school or approved provider under s. 1002.45 which
40 receives the same or a lower school grade or school improvement



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41 rating for the 2014-2015 school year compared to the 2013-2014
42 school year is not subject to sanctions or penalties that would
43 otherwise occur as a result of the 2014-2015 school grade or
44 rating. A charter school system or a school district designated
45 as high performing may not lose the designation based on the
46 2014-2015 school grades of any of the schools within the charter
47 school system or school district, as applicable.

48 2. The Florida School Recognition Program established under
49 s. 1008.36 shall continue to be implemented as otherwise
50 provided in the General Appropriations Act.

51 (c) Until such time as an independent verification of the
52 psychometric validity of the statewide, standardized assessments
53 first implemented in 2014-2015 is provided, for purposes of
54 determining grade 3 English Language Arts student performance
55 retention pursuant to s. 1008.25(5) and high school graduation
56 requirements pursuant to s. 1003.4282, student performance on
57 the 2014-2015 statewide, standardized assessments shall be
58 linked to 2013-2014 student performance expectations. Students
59 who score in the bottom quintile on the 2014-2015 grade 3
60 English Language Arts assessment shall be identified as students
61 at risk of retention. School districts must notify parents of
62 such students, provide evidence as outlined in s. 1008.25(6)(b),
63 and provide the appropriate intervention and support services
64 for student success in grade 4.

65 (d)1. An independent verification of the psychometric
66 validity of the statewide, standardized assessments first
67 implemented in 2014-2015 must be completed before the 2014-2015
68 school grades results may be published and before the student
69 performance data resulting from such assessments may be used for



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70 purposes of instructional personnel and school administrator
71 evaluations.

72 2. The independent entity must be selected by a panel
73 consisting of one member appointed by the Governor, one member
74 appointed by the President of the Senate, and one member
75 appointed by the Speaker of the House of Representatives. In
76 selecting the independent entity, the panel must consider, at a
77 minimum:

78 a. The national reputation and length of establishment of
79 the entity;

80 b. The experience and expertise of the independent entity
81 in validating such data; and

82 c. The use of professional standards, codes, and guidelines
83 that address applicable practices in the profession, such as the
84 Standards for Educational and Psychological Testing.

85 3. The panel must select the independent entity no later
86 than June 1, 2015. Upon selection of the independent entity, the
87 Department of Education shall immediately contract with the
88 independent entity to perform the independent verification,
89 which must be completed by September 1, 2015. This paragraph is
90 repealed December 31, 2015.

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92 This subsection is repealed July 1, 2017.

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

95 And the title is amended as follows:

96 Delete line 97

97 and insert:

98 Education; amending s. 1008.34, F.S.; designating the



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99 2014-2015 school year as an implementation year for
100 the new statewide, standardized assessments;
101 prohibiting the use of learning gains data from 2014-
102 2015 test scores under specified circumstances;
103 creating s. 1011.6202, F.S.; creating the