

FLORIDA ASSOCIATION OF DISTRICT SCHOOL SUPERINTENDENTS 2013 LEGISLATIVE PLATFORM

Florida's Accountability System

A high quality education system is critical to Florida's economic recovery and economic growth. To that end, Florida superintendents:

- Support a high quality education system that graduates students prepared for careers and postsecondary education.
- Support a strong accountability system that promotes student learning and performance.
- Support a teacher and school-based administrator evaluation system based upon student achievement and professional practices.
- Believe that such an accountability and evaluation system must be developed and implemented within a reasonable, fixed period of time.
- Support a high quality education system that is adequately and efficiently funded.

The overall purpose of Florida's accountability system must be to improve student performance. The accountability system is complex, interdependent and modified annually. In the 2011-2012 school year alone, 34 changes were made to Florida's school grading system.

While superintendents are supportive of the move to Common Core standards and increased accountability measures; the overly aggressive implementation schedule is not realistic, and is so problematic as to jeopardize student success. Future modifications must be carefully considered and the impact on the various components thoroughly explored – especially the impact on students.

IMPACT ON STUDENTS

Graduation requirements were substantially increased by the Florida Legislature in 2010, and these changes have been phased-in over a period of years. These graduation requirements include passing the Florida Comprehensive Assessment Test (FCAT) 2.0, FCAT Writing and required end-of-course (EOC) exams.

In addition, promotion to the 4th grade and to graduate from high school is contingent upon a student achieving a certain score on the FCAT.

High School Graduation Requirements 2010/11 – 2015/16

Students entering 9th grade may choose from one of five options to earn a standard high school diploma:

- A four-year, 24-credit program
- An International Baccalaureate (IB) curriculum
- An Advanced International Certificate of Education (AICE) curriculum
- A three-year, 18-credit college preparatory program
- A three-year, 18-credit career preparatory program

Entering 9th Grade in 2010/11 (this year's 11th graders) and Graduating on-time in 2013/14

- FCAT 2.0 Reading – 10th grade or received minimum concordant score on SAT or ACT
- Pass Algebra I; EOC exam converted score is 30% of final grade
- Earn Geometry credit
- Take remediation course senior year if PERT results in junior year are below CCR threshold

Entering 9th Grade in 2011/12 (this year's 10th graders) and Graduating on-time in 2014/15

- FCAT 2.0 Reading – 10th grade or received minimum concordant score on SAT or ACT
- Pass Algebra I EOC to receive credit
- Pass Geometry; EOC converted score is 30% of final grade
- Pass Biology; EOC converted score is 30% of final grade
- Virtual course requirement: Earn minimum of 0.5 credit in virtual course
- Take remediation course senior year if Postsecondary Education Readiness Test (PERT) results in junior year are below College and Career Ready (CCR) threshold

Entering 9th Grade in 2012/13 (this year's 9th graders) and Graduating on-time in 2015/16

- FCAT 2.0 Reading – 10th grade or received minimum concordant score on SAT or ACT
- Pass Algebra I EOC to receive credit
- Pass Geometry EOC to receive credit
- Pass Biology EOC to receive credit
- Earn Algebra II credit
- Earn US History credit; EOC converted score is 30% of final grade
- Virtual course requirement: Earn minimum of 0.5 credit in virtual course
- Take remediation course senior year if PERT results in junior year are below CCR threshold

Entering 9th Grade in 2013/14 (this year's 8th graders) and Graduating on-time in 2016/17

- FCAT 2.0 Reading – 10th grade or received minimum concordant score on SAT, ACT or PERT
 - Pass Algebra I EOC to receive credit
 - Pass Geometry EOC to receive credit
 - Pass Biology EOC to receive credit
 - Earn Algebra II credit
 - Pass one of following:
 - Physics or equivalent* from State approved list
 - Chemistry or equivalent* from State approved list
 - AND pass ONE equally rigorous Science course from State approved list
- *Choosing equivalent course MAY affect eligibility for Bright Futures Scholarships*
- Earn US History credit; EOC converted score is 30% of final grade
 - Virtual course requirement: Earn minimum of 0.5 credit in virtual course
 - Take remediation course senior year if PERT results in junior year are below CCR threshold

Entering 9th grade in 2014/15 (this year's 7th graders) and Graduating on-time in 2017/18

- FCAT 2.0 Reading – 10th grade or received minimum concordant score on SAT, ACT or PERT
- Pass Algebra I EOC to receive credit
- Pass Geometry EOC to receive credit
- Pass Biology EOC to receive credit
- Earn Algebra II credit
- Pass one of following:
 - Physics or equivalent* from State approved list
 - Chemistry or equivalent* from State approved list
 - AND pass ONE equally rigorous Science course from State approved list
**Choosing equivalent course MAY affect eligibility for Bright Futures Scholarships*
- Earn US History credit; EOC converted score is 30% of final grade
- Virtual course requirement: Earn minimum of 0.5 credit in virtual course
- Take remediation course senior year if PERT results in junior year are below CCR threshold
- Middle Grades Promotion Requirements
 - Pass Civics class; Civics EOC converted score is 30% of final grade

Entering 9th grade in 2015/16 (this year's 6th graders) and Graduating on-time in 2018/19

- FCAT 2.0 Reading – 10th grade or received minimum concordant score on SAT, ACT or PERT
- Pass Algebra I EOC to receive credit
- Pass Geometry EOC to receive credit
- Pass Biology EOC to receive credit
- Earn Algebra II credit
- Pass one of following:
 - Physics or equivalent* from State approved list
 - Chemistry or equivalent* from State approved list
 - AND pass ONE equally rigorous Science course from State approved list
**Choosing equivalent course MAY affect eligibility for Bright Futures Scholarships*
- Earn US History credit; EOC converted score is 30% of final grade
- Virtual course requirement: Earn minimum of 0.5 credit in virtual course
- Take remediation course senior year if PERT results in junior year are below CCR threshold
- Middle Grades Promotion Requirements
 - Pass Civics EOC to receive credit

Future Assessments

In the 2014-2015 school year, the Florida Department of Education (DOE) plans to replace FCAT 2.0 with the Partnership for Assessment of Readiness for College and Careers (PARCC) Summative Assessment in math and literacy in grades 3 – 11. PARCC is aligned with the Common Core State Standards (CCSS). PARCC is composed of five assessments; two of which are summative. This means that students will take two assessments at the end of the year to measure their progress – the first in early spring and the second closer to the end of the school year. The length of the first assessment has yet to be determined, but early indications are that it will span two days for several hours per day. How these two assessments will be used to satisfy promotion and graduation requirements remains to be seen; as well as how they will be incorporated into Florida's accountability system.

Regardless of serious outstanding questions, the plan is for PARCC to be fully administered in the 2014-1015 school year. In summer 2015, the State Board of Education (SBE) will set achievement levels, including college-ready performance levels for PARCC. Legislative action is necessary to modify promotion and graduation requirements.

Students with Disabilities and English Language Learners

In February 2012, the SBE requested the creation of a Taskforce to develop an implementation plan to include Students with Disabilities, English Language Learners, and Students with Disabilities enrolled in Exceptional Student Education (ESE) centers in Florida's school accountability system. The Taskforce identified several recommendations for the inclusion of Students with Disabilities, English Language Learners, and Students with Disabilities enrolled in ESE centers, and some of these recommendations were incorporated into the school grading rule in May 2012. However, many concerns relating to assessments and the impact on school grades remain both within the state system of accountability and in the implementation of federal requirements and waivers.

The educational standards for Students with Disabilities and English Language Learners must be rigorous and, at the same time, take into account the challenges these students and their parents face. These students must be treated fairly and given the opportunity to succeed. The state accountability system must not be structured in a manner that hinders their success.

Critical Considerations of Assessment Requirements:

- What specifically should all students know upon attaining a high school diploma?
- Should all students be required to successfully complete what equates to a college preparatory track to graduate from high school?
- Should Florida develop separate requirements for students who successfully complete a career academy or vocational/technical program?
- Should Florida develop differentiated high school diploma options; e.g., a general high school diploma, a Science Technology Engineering Math (STEM) diploma, and/or a college preparatory diploma?
- Should Florida develop an applied high school diploma option that does not depend upon the passage of PARCC and EOC exams, but instead measures applied knowledge?
- How can PARCC be fashioned to serve multiple purposes such as eliminating the need for separate college readiness assessments (i.e., PERT, SAT, ACT)?

- How can Florida's student assessment system be modified to accurately measure student progress within the same school year from beginning to end, and to provide early diagnostic feedback to students, parents and teachers concerning student weaknesses in order to timely address these deficiencies during the school year?
- Should Florida continue to increase testing requirements that generate additional remediation requirements and deprive students of the opportunities to complete career academies that lead to industry certifications and high-wage jobs?
- How can Florida ensure that Students with Disabilities and English Language Learners succeed in accordance with their respective abilities within the current assessment and accountability system?

ADDITIONAL ASSESSMENT REQUIREMENTS

Online Assessment

PARCC is slated to be administered in the 2014-2015 school year, in an intensive and robust computer environment. In addition, beginning with the 2014-2015 school year all statewide EOC assessments must be administered online, which creates additional challenges and constraints for students and educators.

Digital Materials

Beginning in the 2015-2016 academic year, at least 50 percent of the annual instructional materials allocation must be used to purchase digital or electronic instructional materials for students in kindergarten through grade 12.

Critical Considerations:

- Outdated computers to meet the increased technology specifications for online assessments
- Lack of infrastructure (bandwidth, hosting servers, 24/7 tech support, etc.)
- Security issues including storage of the tests, backups, disaster recovery, etc.
- Continual displacement of students from regular classes to accommodate online assessments due to lack of additional computers
- The cost of implementing these requirements as well as the availability of computers/devices is unknown.

IMPACT ON TEACHERS

The Teacher Quality Legislation (SB 736) requires all districts to fully implement revised salary schedules based upon a combination of student performance and professional practices in the 2014-2015 school year.

Assessment Development Process

The measurement of student performance is dependent upon reliable assessments, including EOC assessments. Through the Race to the Top grant, DOE is developing the interim assessment items and assessments in English/Language Arts, Mathematics, Science, Social Studies and Spanish. These will be stored in an item bank and test platform for districts, schools and teachers. A competitive grant process resulting in seven projects is being awarded to Local Education Agencies (LEAs) individually or in partnerships to create high-quality assessments for hard-to-measure content areas.

The seven projects consist of courses in these areas:

- Physical Education and Health Education, Grades K – 8: Miami-Dade County
- Physical Education and Health Education, Grades 9 – 12: Hillsborough County
- Performing Arts: Chorus and Drama: Polk County
- Performing Arts: Band and Instrumental: Polk County
- Visual Arts: Miami-Dade County
- World Languages (other than Spanish): Duval County
- Career and Technical Education: Hillsborough County

These projects are intended to provide Florida public school districts, including charter schools, with an extensive bank of assessment items that are of high-quality, standards-based (Next Generation Sunshine State Standards and Common Core State Standards), and vetted by Florida educators. When the item bank and testing platform are fully operational, Florida public school teachers and districts should have the ability to search the bank, export items, and generate customized assessments to meet their students' needs. In addition, there will be a public level of practice items available to students and parents that independent schools may access as well.

However, the development of the above item banks does not include all of the courses offered in Florida's school districts; particularly on the high school level. While some of the courses may align well to the FCAT or PARCC, not all do. The item banks themselves will require thousands of questions in order to be reliable. Furthermore, even if the questions are valid and reliable it does not mean that a series of questions chosen from the item bank will be a valid and reliable EOC assessment upon which a teacher's professional career and salary are based, not to mention a student's achievement. Finally, ensuring consistency and reliability among districts in developing assessments from the state item banks or on their own is questionable.

The statewide assessments must be administered online in the 2014-2015 school year, yet the infrastructure to meet this requirement will not be available in all school districts. In addition, beginning in the 2015-2016 academic year, at least 50 percent of the annual instructional materials allocation must be used to purchase digital or electronic instructional materials for students in kindergarten through grade 12. The infrastructure to coordinate this in a cost-effective and efficient manner is daunting. Funding this infrastructure will be costly and a true cost estimate is still unknown.

Florida has implemented several merit pay or performance pay systems over the past several decades. Experience has shown that after a few years of implementation, the cost of funding a comprehensive compensation system based on performance is not sustainable.

Critical Considerations of Teacher Quality Legislation:

- Availability and reliability of assessments required for teacher and school-based administrator evaluation systems.
- The degree to which student assessment is used in direct evaluation of teacher and school-based administrator performance.
- Development, implementation, maintenance and funding of technology infrastructure, to administer assessments online and provide instructional materials in digital format.
- Implementation, sustainability and funding of pay for performance salary schedules.

IMPACT ON SCHOOL DISTRICTS

The economic strength of Florida may be measured by the grades of schools and school districts. Economic recovery and sustainability go hand-in-hand with healthy, vibrant and successful school districts. The cumulative impact of the statutory and regulatory demands on school districts has resulted in an inability of superintendents to operate and administer school districts in an efficient, business-like manner. The inflexibility of the Student Success Act, unaccountable growth in charter schools, and unregulated growth of choice and scholarship programs often does not result in improved student performance and is an ineffective use of scarce taxpayer funds.

Decision-making must return to the local level. Currently, local control and flexibility has eroded to the point that school districts may not even establish their own school calendar. Superintendents have recommended multiple statutes to be repealed, many of which are outdated reporting requirements and unnecessary red tape. The recommendations are being reviewed by the Governor's office and by House and Senate staff. In addition, more substantive issues that would allow school districts more flexibility in the delivery of educational services have been recommended including revisions to the Student Success Act, assessments and EOCs, choice programs, and charter schools.

STUDENT SUCCESS ACT – SB 736

The Student Success Act or SB 736 radically changed the relationship between school districts and teachers and school-based administrators. Professional service contracts, commonly referred to as "tenure" are no more. New salary schedules incorporating student performance as a major part of compensation must be fully implemented in the 2014-2015 school year. Student performance will be measured, in part, by EOC assessments developed by school districts. Many of these assessments must be provided online. In addition, beginning in the 2015-2016 academic year, at least 50 percent of the annual instructional materials allocation must be used to purchase digital or electronic instructional materials for students in kindergarten through grade 12.

Implementation of all the required elements of the Student Success Act within the statutory timeframe is problematic, at best. The development of valid, reliable and legally defendable EOC assessments within the current timeframe is not realistic. To further compound the issue, the assessments currently being developed are based on the old Next Generation Sunshine State Standards (NGSSS) and not the new Common Core State Standards (CCSS) that will be incorporated into the new PARCC assessment.

Critical Consideration:

- The technology infrastructure and sustainability of such infrastructure to support the delivery of instructional materials via digital content, online statewide assessments, and teacher evaluations, must be fully integrated for successful implementation. A realistic implementation plan that is cost effective does not exist. To date, the true cost – direct, indirect, and sustaining – remains unknown.

EDUCATION CHOICE

“Choice” has been the catch word for enhanced educational opportunity. School districts have embraced public school choice by providing nationally recognized magnet programs, magnet schools (four Florida magnets ranked in the top 10 nationally as recently reported by *U.S. News & World Report*, May 2012), career academies, Advanced Placement (AP), International Baccalaureate (IB) programs, Advanced International Certificate of Education (AICE) programs, dual enrollment, virtual schools, and specialty programs and schools. The variety of educational choices for parents and students in Florida public schools is abundant.

CHARTER SCHOOLS

Origin and Purpose

The original purpose of charter schools in Florida was “to improve student learning; increase learning opportunities for all students, with special emphasis on expanded learning experiences for students who are identified as academically low achieving; encourage the use of different and innovative learning methods; increase choice of learning opportunities for students; establish a new form of accountability for schools; require the measurement of learning outcomes and create innovative measurement tools; make the school the unit for improvement; and create new professional opportunities for teachers.”

Deviation From Original Purpose

Since its inception in 1996, the charter school statute has been amended almost annually for the benefit of charter schools. Initially, the number of charter schools was limited based upon student population and charter school advocates pledged to deliver high quality educational services with reduced funding. Charter school advocates also promised that capital outlay was not needed nor would it be requested; however charter schools received 100% of the budgeted capital outlay in fiscal year 2011 and 2012 (approximately \$55 million each year), while traditional public schools received zero funding.

Since the first five Florida charter schools opened in 1996, more than 500 have opened across the state, with 125 more applications approved last year. Florida’s charter enrollment, the second highest in the nation behind California, has doubled since 2005. Charter schools have clearly had unprecedented growth over the past several years, with a marked increase in for-profit charter schools. In Florida, 150 schools statewide are run by for-profit companies, the second highest in the country, according to the National Education Policy Center.

The result of this rampant, unchecked growth is a dual school system with questionable results and competing interests. Increased student performance is debatable, increased innovation is uncertain, and efficient use of taxpayer dollars is doubtful.

All taxpayer funded public schools should operate under the same statutory and regulatory requirements. What is good for one public school is good for all public schools. Clearly it is time to level the playing field.

CORPORATE SCHOLARSHIP PROGRAM

Corporate scholarship programs – which are supported by funds that would otherwise be included in general revenue funds – not only have statutory flexibility, they are exempt from complying with the accountability system under which all other publically funded schools, including charter schools, operate.

These schools receive tax payer funding; yet they are not publically accountable for their progress or failure. The academic and financial burden falls on the receiving schools or regular public schools. Where is the accountability to the taxpayer?

Critical Considerations of School Choice:

- Shouldn't all public schools, including charter schools, have the same flexibility and freedom from burdensome statutory and regulatory requirements?
- Shouldn't charter schools be required to report on how they have used the flexibility and innovation to increase student performance?
- How should the capital outlay needs of traditional public schools and charter schools be resolved?
- What mechanism can be put in place to ensure that all programs receiving public tax dollars are accountable and transparent, and held to the same standards?

TAXPAYER ACCOUNTABILITY

The accountability system has several components that are intertwined and interdependent. New more rigorous standards, increased student performance requirements, increased promotion and graduation requirements, new and ever changing assessments, new contract and salary compensation systems, and expanded technology requirements and needs could result in an inefficient and costly enterprise.

This can be avoided by undertaking a systematic review of the interrelationship among all of the requirements and timelines. The two areas of greatest need are technology and EOC assessments. Funding is crucial; however allocation of funds must be done in an efficient and transparent manner that is accountable to the student, parent and taxpayer.

The taxpayer deserves to know how their dollars are being spent, not just in public schools but also in charter schools, virtual education programs, McKay Scholarship programs, and corporate scholarship programs.

PUBLIC SCHOOL FUNDING

School superintendents have been leaders in adapting to adversity and implementing measures to continue providing a quality education to Florida's public school students. While recent budget forecasts show a slow but steady recovery from the recession, it would take a significant increase to fund public education to the same level as was available in the 2006-2007 Fiscal Year, before the economic downturn.

The revenue estimates for the Public Education Capital Outlay (PECO) Trust Fund are bleak with no funds projected to be available to district school boards for capital outlay projects for district operated schools. If the 2013-2014 capital outlay projection remains accurate, school districts can expect zero state capital outlay dollars for repair, remodeling, or construction of new student stations for the third straight fiscal year. In 2010-2011 and 2011-2012 fiscal years, charter schools were the only public schools to receive PECO funding at roughly \$55 million each year with no funding allocated to traditional public schools.

2013 LEGISLATIVE RECOMMENDATIONS

Florida has led the nation in developing and implementing a high stakes accountability system that holds teachers and administrators accountable for student success. As Florida moves forward in implementing Common Core State Standards and replacing the FCAT with a new assessment, we must ensure that these new standards and assessments are aligned with all aspects of the accountability system.

Overall Recommendation

Florida superintendents are supportive of the move to Common Core standards and increased accountability measures. However, the overly aggressive implementation schedule is not realistic, and is so problematic as to jeopardize student success.

Florida needs to take a step back and install a realistic timeline that will promote success for students and restore support of all stakeholders in Florida's public schools.

The timeline for the implementation of new assessments, teacher and school based administrator evaluation systems, and the requirements of digital content and computer-based testing should be extended by a minimum of two fiscal years. During this time, school superintendents will work with the Department of Education to develop a timeline that may be realistically implemented and is adequately funded.

FOR STUDENTS

- Establish rigorous yet realistic and meaningful graduation options for students that lead to skilled jobs and postsecondary success; including pathways for students that cannot pass high-stakes assessments.
 - Revise the current graduation requirements to include several pathways for a standard high school diploma.
 - Require that a student's performance on an EOC assessment only constitute 30 percent of the final course grade.
 - Eliminate any requirement of an EOC for middle school courses.
 - Eliminate any requirement that promotion to the next grade be dependent upon passage of an EOC assessment.
 - Establish concordant or equivalent passing scores on the PERT, PSAT, SAT, and ACT for statewide assessments and state developed EOC exams that are required for graduation and maintain any existing concordant or equivalent scores until new scores are adopted.
- PARCC should not be tied to any graduation or promotion requirements until it is fully developed, is deemed valid and reliable, and achievement levels have been established. In addition, schools must have the technology including the infrastructure and appropriate devices to administer the PARCC.

FOR STUDENTS, CONT.

- Establish meaningful learning goals for Students with Disabilities and English Language Learners that are realistic for these students to attain.
 - Authorize alternative methods for assessing learning and achievement for Students with Disabilities and English Language Learners.
 - Develop an additional standard high school diploma for special needs students who cannot pass statewide assessments required for graduation, but who can demonstrate achievement.
 - Eliminate the reversion of assessment scores to home schools for those students attending a school or program other than their home school.

FOR STUDENTS AND TEACHERS

- Thoroughly review the development and implementation of PARCC which encompasses multiple assessments, including two summative assessments – not just one as has been used in the past.
- The state should be responsible for developing EOC assessments that will be used to measure student performance and that will be used in a teacher evaluation system. School districts do not have sufficient time and resources to develop valid and reliable EOC assessments that will be used to evaluate teachers and school-based administrators.
- If the EOC assessments cannot be developed and implemented with fidelity, then the teacher and school-based administrator evaluation system should be modified and based on professional practices until the assessments are available. It is not equitable or reasonable for compensation to be tied to an assessment that does not directly measure the instruction of individual teachers.
- Teachers and school-based administrators must have significant professional development in implementing common core and implementing any new assessment.
- Develop, implement, and maintain the technology and infrastructure to administer assessments online (including PARCC and EOCs) and provide instructional materials in digital format. This must ultimately include the ability to take assessments on demand and not based on a rigid assessment schedule.

CHOICE OPTIONS

- Require charter schools to report on the impact of flexibility and innovation on student achievement.
- Require students who benefit from state supported scholarship programs to take all statewide assessments and EOC assessments required of public school students and the results made available for accountability purposes.
- Require all schools and programs that receive public support to be transparent and accountable.

SCHOOL DISTRICT EFFICIENCY

- Delay statutory requirements that tie compensation to student performance until the necessary EOCs are available.
- Provide that a school board has the final decision-making authority over charter schools within the district, including decisions to accept or reject and to renew or terminate a charter contract.
- Authorize school districts to more efficiently operate choice programs while continuing to provide a wide variety of choice to students and parents.
- Recognize the authority of school boards to sponsor district charter schools.
- Provide additional class size flexibility for unanticipated growth.
- Authorize school districts to adopt the school calendar.

FUNDING

- Provide general operating dollars without any additional mandates in order for districts to implement and sustain new performance salary schedules.
- Fund the technology infrastructure (bandwidth, hosting servers, 24/7 tech support, etc.) and student devices for administering assessments.
- Fund the teacher and school-based administrator professional development requirements for the implementation of common core standards and new assessment requirements.
- Fully fund the requirement of an extra hour in the school day for the 100 lowest performing schools in reading.

CAPITAL OUTLAY

- Provide adequate funding for the growing need for maintenance and repair of district public schools.
- Capital outlay funds for charter schools should only be provided through a separate statewide funding source and distributed only based on demonstrated need.
- Any local funds provided to charter schools for capital outlay must continue to have the consent of the local school board.