

SB 774 – Education Accountability
Senator Montford
Section by Section Analysis

February 12, 2015

Section 1. Amends s. 1003.41 – Next Generation Sunshine State Standards. (Line 96)

Amends to incorporate the footnote requiring full implementation of online assessments does not occur until technology infrastructure is available and certified by the district school superintendent.

Section 2. Amends s. 1008.22 - Student assessment program for public schools. (Line 114)

Requires that the state and local student assessment program be implemented by using the minimum amount of state and local testing for students to accomplish the purposes of the student assessment program.

Amends statewide assessment requirements and removes requirement for the English Language Arts (ELA) assessment to be administered in Grade 11. The ELA in Grade 10 is a high school graduation requirement. The Writing component is incorporated into the ELA assessment. The ELA assessment is not required to be administered online.

Requires that the new Florida Standards Assessment (FSA) must not be used as a requirement for graduation, promotion, or retention during the transition period. Until the 2016-2017 school year, a concordant score or comparable score may be used to satisfy high school graduation requirements. For promotion and retention purposes, the school district may use a variety of assessment measures to quantify student performance in English Language Arts and mathematics. A comparable score for the Algebra I EOC is already available.

The Commissioner must provide an alternative nonelectronic option for the administration of the FSA until the 2016-2017 school year in order to ensure that students have the requisite word-processing and computer skills and districts have the capacity on both the school and district levels to administer FSA as an online assessment.

Requires technology infrastructure (certified by district school superintendent) in order to administer assessments pursuant to s. 1008.22. Adds language that if the district school superintendent certifies that schools and the school district are not ready the Commissioner must provide a paper and pencil option or other avenues to the school district for the successful and timely administration of assessments and the reporting of such assessment results to the Department of Education.

Substantially amends the local assessment requirements in subsection (6). Clarifies that measurement of student performance is the responsibility of the school district except in those subjects and grade levels measured under the statewide, standardized assessment program; effectively removing the requirement for an EOC in every course, subject and grade level. Local assessments must continue to measure the course content and state standards. The list of assessments that may be used remains the same and ranges from statewide assessments to teacher-selected or principal-selected assessments.

Those local assessments that are teacher-selected or principal-selected and used to meet a graduation requirement must be approved by the district school superintendent or his or her designee.

In establishing the assessment schedule, districts must identify the statutory requirement for all mandates assessments including state and district mandates assessments.

Section 3. Amends s. 1008.30 – Postsecondary Readiness. (Line 339)

The PSAT, SAT or ACT may be used as well as PERT as a common placement test for assessment of students who intend to go to college. Removes mandate that districts require certain students to take the test. Removes requirement that certain students take remedial courses/work for postsecondary readiness.

Section 4. Amends s. 1008.31 - Florida’s K-20 education performance accountability system; legislative intent; mission, goals, and systemwide measures; data quality improvements. (Line 470)

Requires the Commissioner to notify USDOE regarding transition.

Specifies that notwithstanding any other provision of law, the K-12 education accountability system is in transition for the 2014-2015 and 2015-2016 school years, and that the new accountability system will be implemented during the 2016-2017 school year. During the two year transition period, school grades are held in abeyance.

Section 5. Creates s. 1008.311 – Transition education accountability system - Provides Legislative Findings and Intent. (Line 526)

Provides legislative findings and intent.

- Reduces statewide and local assessments.
- Continues transition to new accountability system.
- New education accountability system must be fully implemented for the 2016-2017 school year.
- Suspend school grading for the 2014-2015 and 2015-2016 school years.
- Modifies the teacher evaluation system to reflect the implementation of the new performance accountability system...
- Requires technology to be in place at both the school and district levels.

Section 6. Amends s. 1008.34 - School grading system; school report cards; district grade. (Line 602)

Amends to hold school grades in abeyance for the 2014-2015 and 2015-2016 school years. Performance on the FSA must serve as an informational baseline for schools to work toward improved performance in future years.

Retains language to hold consequences in abeyance. Adds language to authorize the Commissioner to reduce or eliminate intervention and support services for the 2015-2016 or 2016-2017 school years based on quantifiable increases in student performance.

Regarding grade 3 retention and high school graduation– authorizes school districts to use other quantifiable measures, concordant, or comparative scores.

Does not repeal section on July 1, 2017.

Section 7. Amends s. 1008.345 - Implementation of state system of school improvement and education accountability. (Line 727)

Commissioner must maintain accountability system during transition. Community assessment teams will be assigned to assist low performing schools as identified by the Commissioner.

Section 8. Amends s. 1008.385 - Educational planning and information systems. (Line 810)

Amends to ensure technology fully implemented. Full implementation of online assessments must occur only after the technology infrastructure, connectivity, and capacity of all public schools and school districts are load tested, independently verified and certified by the district school superintendent as ready for successful deployment and implementation. If the district school superintendent certifies that schools and school district are not ready the Commissioner must provide a nonelectric (paper and pencil) option or other avenues to the school districts for the successful and timely administration of assessments and the reporting of such assessment results to the Department of Education. The Commissioner of Education must submit a report on the implementation of the technology requirements by school districts, including any implementation and funding issues reported by district school superintendents, to the Governor and Legislature by January 15 of each year.

Authorizes districts to continue to provide a nonelectric option for the administration of the FSA for at least the 2014-2015 and 2015-2016 school years in order to ensure that students have the word-processing and computer skills to take the new statewide, standardized assessment and districts have the capacity on both the school and district levels to administer the new statewide, standardized assessment as an online assessment.

Commissioner must recommend annually to the State Board of Education, the Governor, and the Legislature the level of funding needed by school districts to implement and maintain technology requirements based upon the technology plans submitted and updated annually by school districts.

Each district school superintendent must submit a report to the Commissioner which specifies whether the district is in compliance with the technology requirements, outstanding implementation issues, and funding requirements to implement and maintain the technology requirements for instruction and administration of all assessments. If the district school superintendent certifies that schools and school district do not have the required technology to administer assessment, the Commissioner must provide a nonelectric option or other avenues to the school districts for the successful and timely administration of assessments and the reporting of such assessment results to the Department of Education.

Section 9. Amends s. 1012.34 - Personnel evaluation procedures and criteria. (Line 997)

Removes learning growth as a component of the teacher and administrator evaluation systems but authorizes the use of learning growth as a component of the evaluation system.

Reduces requirement that evaluation be based on "at least 50 percent" to "30 percent" of student performance.

For subjects and grade levels not measured by statewide assessment, school districts may use more than one assessment listed in s. 1008.22(6) to meet the 30 percent requirement.

Authorizes rather than requires that each district must use the student learning growth formula adopted by the state.

Repeals requirement that the student learning portion of the teacher and school administrator's evaluation include growth data for student assigned for the last 3 years. However, it would not preclude a district from continuing to use growth data for the last 3 years.

Evaluation based on significant number of students assigned to a teacher; not necessarily all students. For example, a high school teacher teaching 3 classes of Calculus could be evaluated on the performance of students in those classes and not necessarily the performance of students in the remaining 2 classes that may be a hard to measure course.

Amends subsection (7) re to measurement of student learning. The new formula must be based on a comparison of the results of the 2016 administration with the results of the 2015 administration of the standardized assessments in English Language Arts and mathematics.

Authorizes rather than requires the Commissioner to approve a formula to measure individual student learning growth on the statewide, standardized assessments in ELA and mathematics.

Authorizes rather than requires that each district measure student learning growth for either statewide assessments or local assessments.

Provides more flexibility in the number and types of assessments that may be used to measure a student's learning.

Removes repeal of the paragraph authorizing the use of measurable learning targets on local assessments to evaluate performance on the students' portion of the teacher evaluation.

Amends section relating to rulemaking by the SBE. Removes language requiring that the SBE establish a student performance level that must be met in order for an employee to receive a highly effective rating and effective rating.

Requires standards for each performance level or cut scores to be established by the SBE after the 2016 administration of the new FSA for implementation in the 2016-2017 school year.

Removes date (therefore, becomes permanent) from subsection (10) re to district bonus rewards to performance pay based on evaluation progress.

Section 10. Amends s. 1012.3401 - Requirements for measuring student performance in instructional personnel and school administrator performance evaluations; performance evaluation of personnel for purposes of performance salary schedule. (Line 1196)

Specifies that 30 percent rather than 50 percent based on student performance; and 20 percent rather than 40 percent if 3 years of data not available. The evaluation must be based on learning or achievement

of a significant number of the teacher's student for which a valid evaluation may be attained. Removes requirement that growth formula be used.

Authorizes that all assessments (statewide and local) may be used for purposes of performance salary schedule.

Section 11. Amends s. 1001.03 - Specific powers of the State Board of Education. (Line 1230)

Technical and conforming amendments.

Section 12. Amends s. 1002.451 - District innovation school of technology program. (Line 1239)

Technical and conforming amendments.

Section 13. Amends s. 1004.04 - Public accountability and state approval for teacher preparation programs. (Line 1247)

Technical and conforming amendments.

Section 14. Amends s. 1004.85 - Postsecondary educator preparation and institutes. (Line 1343)

Technical and conforming amendments.

Section 15. Amends s. 1007.271 - Dual Enrollment programs. (Line 1007.271)

Technical and conforming amendments.

Section 16. Amends s. 1008.37 - Postsecondary feedback of information to high schools. (Line 1437)

Technical and conforming amendments.

Section 17. Amends s. 1012.22 - Public school personnel; powers and duties of the district school board. (Line 1451)

Technical and conforming amendments.

Section 18. Amends s. 1012.341 - Exemption from performance evaluation system and compensation and salary schedule requirements. (Line 1591)

Technical and conforming amendments.

Section 19. Amends s. 1012.56 - Educator certification requirements. (Line 1606)

Technical and conforming amendments.

Section 20. Provides an Effective Date of upon becoming law. (Line 1634)