

## School Assessment and Accountability Bills House and Senate Moving Bills

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Section	Statute	House - CS/HB 7069	Senate – CS/SB 616
S – Section 1	s. 1001.03	<p><b>Specific powers of State Board of Education.</b></p> <p>Not included.</p>	<p><b>Specific powers of State Board of Education.</b></p> <p>Adds to powers and requires SBE to adopt rules requiring that districts publish a notification form that clearly identifies for parents and students the grade 3 retention and midyear promotion requirements and options, as well as high school graduations requirements and options. School districts must publish the form on their websites and include the form in annual student handbooks. The notification form is also required when providing student performance results to parents on all assessments.</p>
H – Section 1	s. 1001.42	<p><b>Powers and duties of district school board.</b></p> <p>Removes school start date tied to Labor Day; allows districts to start school no earlier than August 10.</p>	<p><b>Powers and duties of district school board.</b></p> <p>Not included.</p>
H – Section 2	s. 1002.20	<p><b>K-12 student and parent rights.</b></p> <p>Repeals language in “student and parent rights,” which requires districts to “regularly assess” K-3 students’ reading ability. <b>Instead, Section 9 of</b></p>	<p><b>K-12 student and parent rights.</b></p> <p>Not included.</p>

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		<p><b>the House bill</b> emphasizes monitoring reading proficiency of K-3 students</p>	
H – Section 3	s. 1003.4156	<p><b>General requirements for middle grades promotion.</b></p> <p>Repeals required remediation for middle grades students who score level 1 or 2 on English Language Arts (ELA) assessment. <b>Instead, Section 9 of the House bill</b> requires districts to provide interventions and support to students who have not met district criteria.</p>	<p><b>General requirements for middle grades promotion.</b></p> <p>Not included.</p>
H – Section 4 S – Section 10	s. 1003.4282	<p><b>Requirements for a standard high school diploma.</b></p> <p>Repeals required remediation for high school students who score level 1 or 2 on ELA assessment or Algebra I EOC assessment. <b>Instead, Section 9 of the House bill</b> requires districts to provide interventions and support to students who have not met district-established criteria.</p>	<p><b>Requirements for a standard high school diploma.</b></p> <p>Enrollment in remedial course is optional for students scoring Level 1 or 2 on the 9<sup>th</sup> or 10<sup>th</sup> grade ELA assessment. Currently, it is required.</p>
H – Section 5 S – Section 11	s. 1003.4285	<p><b>Standard high school diploma designations.</b></p> <p>Deletes reference to 11th grade ELA assessment as a requirement to earn the “scholar” designation; 11th grade ELA is eliminated in Section 7 of the bill.</p>	<p><b>Standard high school diploma designations.</b></p> <p>Removes 11<sup>th</sup> Grade ELA from Scholar Designation.</p>
H – Section 6	s. 1003.621	<p><b>Academically high-performing school districts.</b></p>	<p><b>Academically high-performing school districts.</b></p>

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		Requires high performing school districts to comply with school start date. Current law allows high performing districts to set their own start date.	Not included.
H – Section 7 S – Section 2	s. 1008.22	<p><b>Student assessment program for public schools.</b></p> <p>The assessment program must provide, when available, instructional personnel with information on student achievement of standards and benchmarks in order to improve instruction.</p> <p>Eliminates administration of 11th grade ELA assessment</p> <p>Streamlines/removes duplicative provisions related to EOC assessments, middle school progression and high school graduation that are also found in ss. 1003.4156 &amp; 1003.4282.</p>	<p><b>Student assessment program for public schools.</b></p> <p>Repeals the 11<sup>th</sup> Grade English Language Arts Assessments.</p> <p>The bill amends subsection (6) and retains language requiring the measurement of student performance in all subjects and grade levels not included in the standardized assessment program as the responsibility of districts. “District-mandated” assessments are renamed “district-required local” assessments.</p> <p>The bill prohibits a school district from administering a local assessment for subjects and grade levels that are measured under the statewide, standardized EOC assessments. Requires a district to provide student performance results on district-required local assessments to the student’s teachers and parents within 30 days after administering such assessments.</p> <p>The bill removes current language requiring that districts administer local assessments in subjects and grade levels not measured under the statewide assessment program beginning in the 2014-2015 school year and the list of assessments</p>

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		<p>Deletes language setting achievement levels for old writing assessment; writing is now a part of the ELA assessment.</p> <p>Eliminates specific assessment requirements and examples for district measurement of student performance in subjects and grade levels not measured using state assessments.</p> <p>Requires commissioner to assist districts by maintaining a statewide item bank that facilitates test and test item sharing. Requires districts to “consider how to share resources” and allows commissioner to stop item bank if he/she determines that district participation is not enough to sustain the effort.</p> <p>Moves language authorizing the Commissioner to establish the testing schedule, which must provide results to the districts as early as possible, and no later than the week of June 8.</p> <p>Requires development of a uniform calendar for use by districts and public schools, provides required elements, requires SBE to adopt rules for development of the calendar and define key terms (e.g. “Formative Assessment”).</p> <p>Specifies that statewide standardized EOC assessments must be the only final cumulative exam in a course; allows district-selected course</p>	<p>that may be used. Most of this language is reinserted later in the bill.</p> <p>Language is added that a school district may not schedule more than 5 percent of total school hours to administer statewide assessments and district-required local assessments. The district must obtain written consent from the parent before administering district-required local assessments that, after applicable statewide assessments, are scheduled, exceed the 5 percent limit. . The 5 percent limit may be exceeded to provide test accommodations for ESE students and ELL students. Notwithstanding this requirement, a student may, within a school year, choose to take an examination or assessment adopted by SBE rule pursuant to this section (student assessment program); s. 1007.27 (AP, IB, dual enrollment, AICE, etc.), 1008.30 (common placement testing for public postsecondary education) and s. 1008.44 (workforce development).</p> <p>The district must adopt its testing schedule for the statewide and district required local assessments, clearly specifying the estimates of average time for administering each assessment by grade level. The district must publish it on the district’s website in a format prescribed by DOE.</p>

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		<p>assessments to be used as final exam according to district policy.</p> <p>Requires that teachers and parents be provided student results of district-required assessments in a timely manner. When available, instructional personnel must be provided with information on student achievement of standards and benchmarks to improve instruction.</p>	
H – Section 8	s. 1008.24	<p><b>Test administration and security; public records exemption.-</b></p> <p>To reduce classroom disruption during testing season, allows district employees, such as education paraprofessionals, to administer and proctor assessments.</p>	<p><b>Test administration and security; public records exemption.-</b></p> <p>Not included.</p>
H – Section 9 S – Section 3	s. 1008.25	<p><b>Public school student progression; remedial instruction; reporting requirements.</b></p> <p>Includes social studies in list of subjects used to determine student progression.</p> <p>Eliminates requirement for a district progression plan and prescriptive plan contents. Instead,</p>	<p><b>Public school student progression; remedial instruction; reporting requirements.</b></p> <p>Removes the ability of a district to utilize a schoolwide system of progress monitoring for the remediation of a low performing student. Limits the district’s ability to have local standards that</p>

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		<p>districts must establish criteria for student progression for K-12 with an emphasis on K-3 reading proficiency. The criteria must address specified areas, including statewide assessment results, acceleration, early graduation, virtual instruction and parental notification.</p> <p>Eliminates specific requirements to progress monitor students; instead provides for intensive instruction and supports for students with deficiencies and students retained in 3rd grade in accordance with K-12 comprehensive reading plan.</p>	<p>identify reading deficiencies; must depend upon results on statewide assessments.</p>
<p>H – Section 10 S – Section 4</p>	<p>s. 1008.30</p>	<p><b>Common placement testing for public postsecondary education.</b></p> <p>Repeals the required administration of PERT in high school, and required postsecondary preparation course. Instead, requires schools to use all assessment results to advise students of any deficiencies and to provide postsecondary preparation instruction before high school graduation.</p>	<p><b>Common placement testing for public postsecondary education.</b></p> <p>Authorizes alternative assessments such as the SAT, ACT, and other assessments to be used in lieu of PERT. The assessment is no longer a requirement and administration must be at the request of a parent. School districts are no longer required to address the deficiencies in postsecondary readiness.</p>
<p>S – Section 5</p>	<p>s. 1008.34</p>	<p><b>School grading system; school report cards; district grade.</b></p> <p>Not included.</p>	<p><b>School grading system; school report cards; district grade.</b></p> <p>Technical Changes.</p>

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H – Section 11	s. 1008.36	<p><b>Florida School Recognition Program.</b></p> <p>In addition to funds provided, Title I designated high schools that receive a grade of “A” or “B” and have 65% or more of their student population eligible for free or reduced price lunch must receive financial awards depending on the availability of funds appropriated and the number of size of schools selected to receive an award.</p>	<p><b>Florida School Recognition Program.</b></p> <p>Not included.</p>
H – Section 12	s. 1011.62(9)	<p>Removes statutory requirements for additional hour of instruction at the 300 lowest-performing elementary schools.</p> <p>Provides for required instruction and support for students at risk of being retained in third grade who have already been retained in K-2.</p> <p>Requires DOE to monitor reading plans, and regularly report findings to SBE. Requires SBE to review effectiveness of plans.</p>	
S – Section 13	s. 1012.22	<p><b>Public school personnel; powers and duties of the district school board.</b></p>	<p><b>Public school personnel; powers and duties of the district school board.</b></p> <p>Clarifies that a classroom teacher whose performance evaluation uses measurable learning targets on local assessments (references s. 1012.34(7)(c)3.) must remain under the grandfathered salary schedule until his or her teaching assignment changes to a subject for which there is a statewide assessment or district-required local assessment or the district</p>

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			establishes equally appropriate measures of student learning growth as defined by s. 1012.34 and SBE rules.
H – Section 14 S – Section 6	s. 1012.34	<p><b>Personnel evaluation procedures and criteria.</b></p> <p>Moves commissioner’s annual evaluation plan report date to Feb 1 and requires an analysis that compares performance evaluation results calculated by each district to indicators of performance calculated by DOE using SBE adopted performance levels.</p> <p>Requires evaluation system to provide timely feedback to instructional personnel and administrators and streamlines system monitoring provisions.</p> <p>Amends evaluation system requirements to:</p> <ul style="list-style-type: none"> <li>• Require instructional personnel or school administrator evaluation to be based at least 1/3 on student performance, at least 1/3 on instructional practice or instructional leadership, and remainder on other criteria, which may include student/parent/peer/employee surveys or other job and professional responsibilities.</li> <li>• Require evaluation to be based on the assigned students.</li> <li>• Allows districts to adjust the proportion of assessment data based on instructional assignment.</li> </ul>	<p><b>Personnel evaluation procedures and criteria.</b></p> <p>Subsection (3) is amended and the percentage of a teacher’s evaluation based on student performance is decreased from 50% to 33%. If less than three years of data, the percentage is reduced to 30% (currently 40%).</p> <p>At least 33% of a performance evaluation for teachers must be based on instructional practice. Current law does not indicate a percentage. For school administrators, at least 30% of the performance evaluation must include indicators based upon leadership standards adopted by the SBE. Current law does not include a percentage.</p> <p>For teachers, at least 33% of a performance evaluation must be based on instructional practice. Current law does not include a percentage. In addition, for classroom teachers, multiple observations must be used by administrative personnel to evaluate the performance of each classroom teacher. For school administrators, at least 30% of the performance evaluation must be based on instructional leadership. Current law does not include a percentage.</p>



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		<ul style="list-style-type: none"> <li>• Requires that personnel be informed of criteria, data sources, methodologies, and procedures associated with evaluation in advance.</li> </ul> <p>Requires each school district, in addition to measuring student learning growth, measure the performance level standards adopted by the SBE.</p> <p>Requires SBE to adopt rules establishing uniform procedures and format for submission and approval of district evaluation system.</p> <p>Requires SBE to adopt rules including specific, discreet standards for each performance level based on student learning growth models approved by the commissioner.</p>	<p>For both instructional personnel and school administrator no more than 33% of a performance evaluation must include professional and job responsibilities. Peer reviews may be used for this component.</p> <p>Subsection (7) now relates to the measurement of student learning growth on both state and local assessments. Student learning growth models or VAM are retained for courses associated with statewide, standardized assessments.</p> <p>For grades and subjects not assessed by statewide assessments, but otherwise locally assessed, the existing statutory language is modified but the requirement to measure performance of students using a methodology determined by the district remains.</p> <p>A new paragraph (d) is added that includes much of the language that was deleted in s. 1008.22 relating to local assessments. Therefore, school districts continue to be responsible for the measurement of student performance in all subjects and grade levels, except those measured under the statewide assessment program. For subjects and grade levels not measured under the statewide program, each district is responsible for administering local assessments that measure student mastery of course content at the necessary level of rigor. Local assessment may include (similar to current list):</p> <ol style="list-style-type: none"> <li>a. Statewide assessments.</li> </ol>

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			<ul style="list-style-type: none"> <li>b. Other standardized assessments, including nationally recognized standardized assessments.</li> <li>c. Industry certification assessment.</li> <li>d. District-developed or district-selected assessments (removes reference to EOCs).</li> <li>e. Teacher-selected or principal-selected assessments.</li> </ul> <p>The language requiring each district to adopt policies for the selection and scoring of local assessments remains as does the language authorizing the use of a variety of assessment formats. The language reiterated that the district must provide performance results on local assessments to teachers and parents within 30 days of administering the assessment. As in current language, for all ELA, math, science, and social studies courses offered in the district used to meet graduation requirements and which are not otherwise assessed by statewide assessment, the school board is limited to a. – d. above. New clarifying language is added so that for a teacher or school administrator to be eligible for a salary adjustment under the performance salary schedule, the student performance component of the performance evaluation must be based on an assessment described in a.-d. above and using a methodology determined by school districts. Such methodologies could include student learning growth, achievement levels, performance on statewide assessments, or for this school year</p>

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			<p>only, measurable learning targets on local assessments.</p> <p>Subsection (8) relating to rulemaking is amended and requires the SBE to adopt rules no later than August 1, 2015 relating to uniform procedures for review and approval of district evaluation systems; specific, discrete standards for each performance level; measurement of learning growth; and a process for monitoring district implementation. Specifically, the rule must establish student performance levels that if not met will result in the employee receiving an unsatisfactory performance evaluation rating; and also the level that must be met for an employee to receive a highly effective or effective rating.</p>
<p>H – Section 15 S – Section 7</p>	<p>s. 1012.3401</p>	<p><b>Requirements for measuring student performance in instructional personnel and school administrator performance evaluations; etc.</b></p> <p>Repeals language now in Section 12. (evaluations must be based on students assigned to the teacher or administrator).</p>	<p><b>Requirements for measuring student performance in instructional personnel and school administrator performance evaluations; etc.</b></p> <p>Technical and conforming language.</p>
<p>H – Section 16</p>	<p>s. 1012.98</p>	<p><b>School Community Professional Development Act.</b></p> <p>Requires teachers rated below effective to be provided professional development under the district inservice plan, which may include the use of individual professional development plans.</p>	<p><b>School Community Professional Development Act.</b></p> <p>Not included.</p>

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S – Section 8	Undesignated Section	<p><b>School district contingency plan.</b></p> <p>Not included.</p>	<p><b>School district contingency plan.</b></p> <p>Current law provides that school grades for the 2014-15 school year be calculated based on the new assessment, but such grades shall serve as an informational baseline. Consequently, schools would not be required to implement a turnaround option, sanctions and penalties are held in abeyance, the School Recognition Program would continue, and for retention and graduation purposes, this year’s assessment results would be linked back to last year’s results. Regardless of this transition language, a district could vote to request SBE approval to waive all of these transition benefits and instead use the results from the assessment administered in 2014-2015 for diagnostic and baseline purposes only. Therefore, no school grades would be issued if the waiver is granted.</p> <p>The waiver request must be submitted to the commissioner by the superintendent from the last day of the administration of the statewide assessment through June 5, 2015. At a minimum, the request must include:</p> <ul style="list-style-type: none"> <li>• The scope of the request which may be either a school district, certain schools or a school. It may not include a grade level, subject- area level or another level.</li> <li>• The reason for the request, including a description of the systemic or unique implementation failure. Quantifiable data</li> </ul>

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			<p>must accompany the request. Inability to assess the minimum percentage of students does not, in itself, is not acceptable.</p> <ul style="list-style-type: none"> <li>• A corrective action plan that will resolve such failure in time for successful administration of the assessment during the 2015-2016 school year; including allocation of resources and technical assistance needs.</li> <li>• Plan to use diagnostic data to facilitate continuous improvement of student performance and effectiveness of schools, etc. The district must describe plans for implementing student progression plans, performance evaluations of instructional personnel and school administrators, performance salary schedule requirements, and other uses identified by the commissioner.</li> </ul> <p>The Commissioner must review each request and consult with the superintendent. The commissioner’s recommendation may include conditional requirements that must apply if the waiver is approved.</p> <p>For only the 2014-2015 school year, if the waiver is granted:</p> <ul style="list-style-type: none"> <li>• A school or district may not receive a grade, improvement rating or district grade.</li> </ul>

Section	Statute	House - CS/HB 7069	Senate – CS/SB 616
			<ul style="list-style-type: none"> <li>• A school may, at district’s discretion, choose to use the assessment results in teacher and school administrator evaluations.</li> <li>• The district will continue to have its student performance results included in statewide assessment results that are published by DOE.</li> <li>• A school forfeits eligibility to earn school recognition funds.</li> <li>• A school district forfeits the district’s eligibility to earn the designation and benefits associated with high performance school district.</li> <li>• The section expires July 1, 2016.</li> </ul>
S - Section 9	Undesignated Section	<p><b>OPPAGA Study</b></p> <p>Not included.</p>	<p><b>OPPAGA Study</b></p> <p>The bill requires OPPAGA to conduct a year-long study, beginning no later than August 1, 2015, to assess the cost-effectiveness of DOE leasing examination questions from AIR compared with using questions from an existing examination. No later than December 1, 2016, OPPAGA must provide a report to the Legislature on the findings of the study.</p>
H – Section 16 S – Section	Effective Date	Upon becoming law.	Upon becoming law.