

# FLORIDA DEPARTMENT OF EDUCATION



John L. Winn  
Commissioner of Education

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## MEMORANDUM

TO: District School Superintendents

FROM: Dr. Michael Grego

DATE: August 8, 2011

SUBJECT: 2011 Instructional Validity Study

### **Contact Information:**

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In 1982, the Florida Department of Education implemented the nation's first instructional validity study. This study was required by the court in the Debra P. vs. Turlington case challenging the Florida high school graduation testing requirement.

Basically, the courts held that the State of Florida could require students to earn a passing score on a graduation test only if they had been given instruction on the content covered by the test, and have multiple opportunities to meet the testing requirement. The courts gave no specific guidance to the Department about how to determine whether students had the opportunity to learn (i.e., instructional validity), although it was clear that the State would not be expected to document the daily instructional program of each individual student.

The Department subsequently implemented a study with four major components:

1. A survey of a random sample of teachers to discover whether the skills were being taught.
2. A district self-report designed to document whether the districts and schools had implemented the required skills in the curriculum and instructional programs.
3. District on-site visitations designed to have independent teams review documents within each district.
4. A survey of a random sample of students to determine whether they had been taught the required skills.

**DR. MICHAEL GREGO**  
CHANCELLOR OF PUBLIC SCHOOLS

In the mid-1990s, the skills assessed by the High School Competency Test (HSCT) were revised, and it was necessary to obtain documentation that the new skills were being taught. Rather than repeat the extensive study conducted during the Debra P. trial, the Department required each district to conduct its own review and provide documentation that the revised skills were being taught. This was a one-time effort designed to meet the immediate need. Likewise, when the Florida Comprehensive Assessment Test (FCAT) became the required high school graduation test, another instructional validity study was designed to collect evidence for the new graduation test using a similar approach.

As described above, instructional validity studies have been conducted on three previous occasions in Florida, and now we are obligated to conduct another study. Since students' progress toward a high school diploma is related to the extent to which the Next Generation Sunshine State Standards (NGSSS) have been learned, we have a professional obligation to take time to review our curriculum and instructional programs to verify that students are being given the opportunity to learn the assessed content.

The purpose of this memorandum is to outline the steps required to study and document whether all students are being afforded the opportunity to learn the benchmarks defined by course descriptions and measured by statewide assessments required as components of Florida's high school graduation requirements, the Grade 10 FCAT 2.0 Reading and the Algebra 1/Biology 1/Geometry End-of-Course (EOC) Assessments.

### **2011 FCAT 2.0/EOC Study Design**

This study is designed to provide sufficient information for documenting the instructional validity of the Grade 10 FCAT 2.0 Reading and EOC assessments. The term "instructional validity" means that any student who is seeking a regular high school diploma has been given the opportunity to learn the content measured by each required assessment. The concept also applies to ESE, 504, and LEP students who take these tests with the appropriate accommodations as well as to adult high school students.

The NGSSS were adopted by the State Board of Education and, thus, represent mandated state policy that all districts must implement. In July 2010, State Board of Education Rule 6A-1.09422 was amended to require new assessment graduation requirements based on the NGSSS and course requirements. The Grade 10 FCAT 2.0 Reading and EOC assessments are the required assessment instruments that measure selected aspects of the NGSSS for the purposes of high school graduation.

Instructional validity is not measured by any single approach or statistic. Instead, validity is established by a web of supporting information that, in its total, indicates the very high likelihood that students are receiving instruction to prepare them for the graduation tests. It is NOT sufficient to substantiate that the required benchmarks have been adopted and are included as topics in textbooks (i.e., curricular validity); we must document that the content is actually taught.

Like the previous FCAT study, the Department's FCAT 2.0/EOC instructional validity study will place primary responsibility on each school and every district to document that instruction on the benchmarks measured by the FCAT 2.0/EOC assessments is provided to students across grade levels. While the instructional validity study may be generally successful, any individual school or district could be challenged if there is unclear evidence that students are being afforded the opportunity to learn the required course and tested content.

The instructional validity study will be based on a "self study" approach in which each district will provide documentation as a written report based upon a review of its curriculum and instructional procedures. This approach has been designed to minimize the burden on classroom teachers and, in general, on school districts. In addition, the Department will provide districts with documentation of certain products and services that form a foundation for the statewide FCAT 2.0/EOC instructional validity.

In its most general sense, there are three questions being asked by the study:

1. Are people adequately informed?
2. Is the curriculum aligned with the NGSSS course requirements?
3. Are students receiving instruction in the aligned curriculum?

An overview of the specific study components are as follows.

1. Public Awareness. Provide documentation of how the district has informed the community, parents, building administrators, teachers, and students about the NGSSS and the expectation that passing scores must be earned on the Grade 10 FCAT 2.0 Reading and EOC assessments as part of the requirements for a high school diploma. Illustrations of such actions might be publications that clearly present these requirements to stakeholders, such as news releases, letters to parents, official resolutions of the school board, district-approved student progression plan.
2. Curricular Validity. Provide documentation that the school district has taken action to adopt the NGSSS into the K-12 curriculum. Such documentation should specifically demonstrate that the curriculum across all levels, particularly in the middle and senior high schools, has integrated the NGSSS as defined by course descriptions. Document how the curriculum permits multiple opportunities to learn the NGSSS assessed on the FCAT 2.0/EOC assessments prior to the first administration of the graduation tests. Also document how the curriculum of remedial studies for students who do not initially pass the tests has been aligned with the expectations of the NGSSS. The *Test Items Specifications* provide information on the assessed benchmarks and may be found on the Department's website at: <http://fcat.fldoe.org/default.asp>.
3. Instructional Validity. Document how students are being provided instruction in the NGSSS that leads to receipt of a regular high school diploma. This documentation naturally will cross grade levels and different content areas since instruction in the NGSSS affects all grade levels and content areas.

Assuming that the district has adequately documented number two above, it should be sufficient for building administrators to describe how they know the defined curriculum is being implemented in the classrooms. There is no need to require classroom teachers to laboriously list every skill that is being taught within any single lesson. In cases where the district has established that the text series incorporates the NGSSS, the teacher's ordinary lesson plan book should be sufficient documentation as long as the teacher actually teaches the material in the adopted text.

If, on the other hand, the district is using either a text series that has not been aligned to the NGSSS or if the individual teacher is teaching from materials uniquely developed or purchased for a given course, it would be necessary to conduct a review to establish the linkage with the NGSSS and then document that the teacher is actually teaching the material.

In either of the preceding scenarios, it is advisable for the school to retain the documentation that substantiates the relationship between the texts and the NGSSS. Also, the school should maintain copies of the lesson plan books used as evidence in this study since they will demonstrate that the content actually was taught. While this evidence should be maintained until these assessments are phased out, there is no requirement to repeat this study in subsequent years as long as the instruction continues to be aligned to the NGSSS.

4. Student Remediation. Document whether the school has instructional programs specifically designed for students who do not initially earn passing scores on the FCAT 2.0 or EOC assessments. Since the 2010-2011 tenth graders were administered the Grade 10 FCAT 2.0 Reading for the first time as a graduation requirement, it is possible that remedial programs have not yet been implemented. In that case, please describe what you plan to do for these students beginning in the next school year. The same recommendation applies for EOC assessments.

Because the FCAT has been in place for so many years, districts have had processes whereby they track students who initially fail the test and must be retested. Such systems must be maintained in the future to keep track of students who must meet the FCAT 2.0/EOC assessment requirements for graduation. Therefore, in conjunction with the response to this item on Student Remediation, please review the district mechanism for keeping track of high school students' graduation requirements based upon ninth-grade cohort and subsequent success with the assessments. If improvements are needed, please take appropriate actions. Your decisions in this regard do not have to be documented in this report.

The complete study plan used in the past for the FCAT has been updated to reflect new terminology and other minor changes; however, as evident from the components described above, it is essentially the same plan used in 2001. It is attached as Attachment A.

Each school district superintendent shall prepare a written report and submit both a hard copy and a scanned copy saved as a PDF to the Department no later than **February 1, 2012**. If, in the process

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of completing your analysis, you discover weaknesses in curriculum alignment that need to be corrected, you should implement these changes as soon as possible.

Please submit the report to:

Mary Jane Tappen

Deputy Chancellor for Curriculum, Instruction, and Student Services

Florida Department of Education

325 West Gaines Street, Room 1502

Tallahassee, FL 32399-0400

[Mary.Tappen@fldoe.org](mailto:Mary.Tappen@fldoe.org)

The following persons also may be contacted for assistance and advice concerning the instructional validity study:

Dr. Sharon Koon ([Sharon.Koon@fldoe.org](mailto:Sharon.Koon@fldoe.org))

Office of Assessment

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Victoria Ash ([Victoria.Ash@fldoe.org](mailto:Victoria.Ash@fldoe.org))

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Bureau of Curriculum, Instruction, & Assessment

(850) 245-9032

Thank you for your assistance and your continued efforts in providing our students with a high-quality education.

MG/mjt/sk

Attachment

cc: District Assessment Coordinators