



# 2015 LEGISLATIVE REVIEW

**May 21, 2015**

FLORIDA COMMISSIONER  
OF EDUCATION

*Pam Stewart*



FLORIDA DEPARTMENT OF  
**EDUCATION**  
fldoe.org



# Legislative Summary

## Legislative Statistics

- Total Bills Filed- 1,754
- Total Bills Passed- 231
- Total Bills Passed Impacting Education and the Agency - 20

## Legislation Impacting Education

Passed House and Senate awaiting Governor's Action

- HB 41- Hazardous Walking Conditions
- HB 153- Literacy Jump Start Pilot Project
- **SB 446- Florida College System Boards of Trustees**
- HB 461- Independent Nonprofit Higher Educational Facilities Financing
- HB 541- Athletic Trainers
- **SB 778- Local Government Construction Preferences**
- **SB 954- Involuntary Examination of Minors**
- **SB 7028- Educational Opportunities for Veterans**
- **SB 7078- Child Welfare**
- **HB 7069- Education Accountability**

## Legislation Impacting the Agency

### Passed House and Senate awaiting Governor's Action

- HB 71- Service Animals
- HB 371- Agency Inspectors General
- HB 435- Administrative Procedures
- HB 553- Public Libraries
- **SB 642- Individuals with Disabilities**
- **SB 982- Florida Civil Rights Act**
- HB 985- Maintenance of Agency Final Orders
- HB 7005- Open Government Sunset Review/Commission for Independent Education
- **HB 7019- Workforce Services**
- HB 7023- Administrative Procedures

# Legislative Summary Resources

## Resources

- Legislative Update Presentation
- Legislative Implementation Overview Chart
- Legislative Review Book

Governmental Relations: [www.fldoe.org/gr](http://www.fldoe.org/gr)

Questions: [Legislation@fldoe.org](mailto:Legislation@fldoe.org)



# Education Accountability (HB 7069)



# Hershel Lyons

## Chancellor, Public Schools



**Mary Jane Tappen  
Executive Vice Chancellor,  
Standards, Instruction and Student Services**

## School Start Date

### Change:

- Requires the opening date for schools in the district to be no earlier than August 10th each year
- Requires districts designated as Academically High-Performing Districts to adhere to this requirement

### Impact:

- One district will have to change their start date to align to the new requirement

## Third Grade Promotion

### End-of-year:

- Beginning in 2015-2016, grade 3 students must score a Level 2 or higher on the English Language Arts (ELA) statewide, standardized assessment for promotion to grade 4

### Mid-year:

- Requires that students promoted during the school year after November 1 must demonstrate proficiency levels necessary for the beginning of grade 4
- Requires the State Board to adopt rules that include standards for mastery of appropriate grade 4 reading skills

# Remediation

## Change:

- Removes the requirement for middle school students who scored Level 1 or Level 2 on the (ELA) and/or Mathematics Florida Standards Assessments (FSA) to be enrolled in a remedial course
- Removes the requirement for high school students to score Level 1 or Level 2 on the ELA FSA and/or Algebra I EOC to be enrolled in a remedial course

## Impact:

- This decision will be a local decision to determine what strategies are best for their students to be successful

# Progress Monitoring

## Change:

- Removes the requirement that each elementary school regularly assess the reading ability of each K-3 student
- Removes the reference to naming a plan as a progress monitoring plan

## Impact:

- Districts will still have to establish a student progression plan that emphasizes reading proficiency in K-3 and progression based on mastery of the standards

## Progress Monitoring

### Districts will continue to be required:

- Pursuant to s. 1008.25, F.S., a student who is not meeting the school district or state requirements for satisfactory performance must be covered by one of the following plans:
  - A federally required student plan such as an individual education plan (IEP);
  - A schoolwide system of progress monitoring for all students, except a student who scores Level 4 or above in the specific subject area statewide assessment may be exempted from participation by the principal; or
  - An individual progress monitoring plan.

# Common Placement Test

## Change:

- Eliminates the requirement for the administration of the Postsecondary Education Readiness Test (PERT) for grade 11 students

## Impact:

- The PERT will continue to be available to districts and will continue to be used as a comparative score for students to meet the Algebra I requirement



**Juan Copa**  
**Deputy Commissioner**  
**Accountability, Research & Measurement**

# Statewide, Standardized Assessments

## Change:

- Codifies Governor Scott's executive order to remove the requirement for the administration of the grade 11 FSA ELA assessment
- Removes the requirement for the passage of the grade 11 FSA ELA assessment for a scholar diploma designation
- Removes duplicative language regarding the course grading and graduation requirements for statewide, standardized End-of-Course (EOC) exams within the assessment section of law as it remains in the high school graduation section

## Impact:

- The elimination of the grade 11 FSA ELA assessment will reduce the amount of testing required of our students
- Statewide, standardized EOC exams are still a requirement and still count for 30% of a student's final course grade, as applicable

# Statewide, Standardized Assessments

## Change:

- Eliminates local exams in courses/subjects where there is also a statewide, standardized EOC exam
- Eliminates the requirement for local assessments in each grade and subject not assessed by a statewide, standardized assessment

## Impact:

- Local assessments may be used as the final exam for courses without a statewide, standardized EOC exam
- Districts are not required to administer assessments for each course, but measurement of student performance remains a responsibility of school districts

# Computer-Based Testing

## Change:

- Codifies the current, planned transition schedule into law, so that all FSAs will be computer-based according to the following timeline:
  - 2015-2016 – Grade 4 FSA ELA
  - 2016-2017 – Grades 3&4 FSA Mathematics
  - 2017-2018 – Grade 3 FSA ELA

## Impact:

- Districts will be required to administer the specific statewide, standardized assessments via computer per the schedule

# Uniform Assessment Calendar

## Change:

- Requires the Commissioner to publish a uniform assessment calendar by August 1, 2016, in an electronic format approved by the State Board
- Requires the State Board to adopt rules for the development of the uniform calendar and define terms, including:
  - Summative assessment
  - Formative assessment
  - Interim assessment

# Uniform Assessment Calendar

## Change:

- Requires each school district to publish the assessment schedule on their website using the uniform calendar format
- Requires districts to submit their calendars to DOE by October 1st of each year
- Requires districts to include the assessment calendar in the parent guide

# Testing Time

## Change:

- Prohibits school districts from scheduling more than five percent of a student's total school hours to administer state and local assessments
- Provides exceptions for students that need testing accommodations required by an IEP or for English Language Learners
- Provides students the ability to exceed the five percent limit on local assessments with written parental consent

## Impact:

- Five percent of 900 hours equals 45 hours
- Five percent does not pertain to common placement testing or student-elected accelerated testing

# Assessment Reporting Requirements

## Change:

- Requires statewide and district assessment programs, when available, to provide instructional personnel with information about student achievement of the standards for improving instruction
- Requires that statewide assessment results be provided by the end of the school year for new or renewed contracts
- Requires student performance on local assessments to be provided to teachers and parents within 30 days of administration

## Test Administration

### Change:

- Permits school districts to use district employees, such as education paraprofessionals, to administer and proctor statewide, standardized assessments
- Requires the State Board to adopt rules that establish training requirements for employees prior to administering assessments

### Impact:

- This will allow districts to use other personnel, not only certified teachers, to administer statewide exams

## Validity Study

### Change:

- Requires that the independent verification of the psychometric validity of the statewide, standardized assessments first implemented in 2014-2015 be completed before 2014-2015 school grades may be calculated and student performance data can be used for instructional personnel and school administrator evaluations

## Validity Study

An independent entity must be selected by a panel consisting of:

- One member appointed by the Governor
  - The Governor appointed Superintendent Dr. Joe Joyner
- One member appointed by the President of the Senate
  - The President appointed Senator Jeremy Ring
- One member appointed by the Speaker of the House of Representatives
  - The Speaker appointed Dr. William Proctor

## Validity Study

The panel must consider when selecting an entity:

- The national reputation and length of establishment
- The experience and expertise
- The use of professional standards, codes, and guidelines that address applicable practices in the profession, such as the Standards for Educational and Psychological Testing

Study Timeline:

- The panel must select an entity no later than June 1, 2015
- The DOE shall immediately contract with the entity
- The study must be completed by September 1, 2015

## Validity Study

### Impact on timeline:

#### 2014-2015 School Grades Release

- Since the passage of Senate Bill 1642 during the 2014 Legislative session, the planned release of baseline School Grades has been December 2015
- Therefore, the conclusion of the validity study by September 1<sup>st</sup> does not impact that timeline

#### Release of Student Scores

- Provides a process for the release of Grade 3 FSA ELA, Grade 10 FSA ELA, and Algebra I EOC student information until such time as an independent verification of the psychometric validity of the assessment is provided

# Validity Study

## Change:

- Requires grade 3 students who score in the bottom quintile on the ELA FSA to be identified as students at risk of retention
- Requires school districts to notify parents of such students and provide appropriate intervention and support services

## Impact:

- Districts will be provided a list of grade 3 students in the statewide bottom quintile
- Districts will be provided a list of students that have met the graduation requirement for Grade 10 FSA ELA and Algebra I EOC through a score linked to 2013-2014 performance

# Validity Study

## Impact:

### Release of Other Student Scores

- FSA scores cannot be released until after the validity study is completed (by September 1<sup>st</sup>)
- The validity study only impacts statewide, standardized assessments first implemented in 2014-2015 (FSA and FSA EOCs in Algebra I, Algebra II, and Geometry)
- FCAT 2.0 Science; Biology I, U.S. History, and Civics EOCs; and all retake scores will be reported as scheduled

# Validity Study

## Impact:

### 30% requirement for a Student's Course Grade

- For 2014-2015, because of the unavailability of independently verified statewide, standardized assessment results in Algebra I, Algebra II, and Geometry, school districts should calculate final course grades and make promotion decisions **without** regard to the 30% requirement that typically applies
- The 30% requirement still applies for EOC results in Biology I, U.S. History, and Civics, as those assessments do not fall under the validity study and will be released in June



# Brian Dassler

## Deputy Chancellor for Educator Quality

# Personnel Evaluations

## No Change:

- Districts remain responsible for measuring student performance in all grades and subjects
- The performance of students component in each teacher's and principal's evaluation must be based on that teacher's or principal's students
- For courses assessed by the state for which a state growth model has been selected (currently FSA and Algebra I), each district must base the performance of students component on the results of the state growth model

# Personnel Evaluations

## Change:

- Districts are no longer responsible for creating assessments of specific types in courses not measured by statewide, standardized assessments
- Instructional evaluations now require the following components:
  - At least 1/3 based on performance of students
    - Statewide assessments must be used for teachers whose courses are assessed by them
    - The proportion of student growth or achievement data when multiple measures are used may be based on the teacher's instructional assignment
  - At least 1/3 based on instructional practice
  - Allows for the inclusion of other indicators of performance

## Personnel Evaluations

### Change:

- Administrative evaluations require the following components:
  - At least 1/3 based on performance of students
  - At least 1/3 based on instructional leadership
  - Allows for the inclusion of other indicators of performance
- Districts may determine the combination of data included in the performance of students component based on the teacher's teaching assignment

## Personnel Evaluations

### Change:

- For courses not assessed by the state and courses with statewide assessments without a state-adopted growth model, districts have the flexibility to use all, some, or none of the results of statewide assessments in the performance of students component
- Instructional personnel and administrative personnel who have been evaluated as less than effective must participate in professional development programs as part of the improvement prescription, as required by the district school board

## Personnel Evaluations

### Change:

- Data from the 2014-15 FSA may not be used in teacher and principal evaluations until the validity study described in HB 7069 is completed. The bill requires the study to be completed by September 1, 2015
- Maintains the requirement that the State Board shall adopt rules by August 1, 2015, establishing standards for the evaluation component related to student performance
  - The bill removes the requirement that these standards would override all other evaluation data and result in an automatic overall unsatisfactory evaluation rating or an effective or highly effective rating

## Personnel Evaluations

### Change:

- Repeals the section of law entitled, “Requirements for measuring student performance in instructional personnel and school administrator performance evaluations; performance evaluation of personnel for purposes of performance salary schedule.”



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