



Information on House Bill 7069

FOIL Spring Conference

May 6, 2015 (updated May 18, 2015)



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House Bill 7069 has 15 Sections

1. School start date
2. K-3 reading
3. Middle grades requirements
4. High school requirements
5. Diploma designations
6. Academically high-performing districts
7. Statewide assessment
8. Test administration
9. Student progression
10. Common placement testing
11. School grading system
12. Educator evaluation
13. Educator evaluation
14. Professional development
15. Effective date (upon becoming law – April 14, 2015)

The bill text can be accessed at
<http://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName= h7069er.docx&DocumentType=Bill&BillNumber=7069&Session=2015>.

Bill Language

- An introductory section with the purpose or action of the bill
 - HB 7069, “An act relating to education accountability”
- The sections of law the bill revises, deletes, amends, or establishes with short descriptions
 - In numerical order by section of law
 - In many cases does not include entire sections of law, therefore should not be interpreted in isolation of the other parts of the unchanged text
 - May delete text that is duplicative, therefore should not be interpreted in isolation of other sections
- The most recent legislation trumps conflicting rule.



Section 1001.42, F.S. (Section 1 of HB 7069)

(4)(f) “...the opening date for schools in the district may not be earlier than August 10 each year.”

Paired with the addition of s. 1003.621(k), F.S., which requires academically high-performing school districts to comply with this new provision.

What does this mean?

- Does this mean all school districts begin school August 10th?
- **No, school districts may select their start date as long as it is not prior to August 10th.**
- Does this mean school districts have to change their 2015-2016 start date if it is after August 10th?
- **No, there is no requirement that districts change their start date unless it is set prior to August 10th.**



Section 1002.20, F.S. (Section 2 of HB 7069)

(11) Deletes the requirement that each elementary school regularly assess the reading ability of each K-3 student

Additionally, deletes naming a plan as a progress monitoring plan—plans are named in s. 1008.25(4)(b), F.S.

What does this mean?

- Does it mean schools can no longer regularly assess K-3 student reading ability?
- This is a local decision. New legislation in s. 1008.25, F.S., requires, beginning immediately:
 - Districts establish a comprehensive plan for student progression that must:
 - Provide for a student's progression from one grade to another based on the student's mastery of the standards, specifically in English language arts, mathematics, science, and social studies.
 - Include criteria that emphasizes student reading proficiency in kindergarten through grade 3.

What does this mean?

- So we no longer need to do a progress monitoring plan?
- **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.

What does this mean?

- Does this affect our K-12 Reading Plan we just submitted?
- **Our Just Read, Florida! Office will continue to work with you regarding any necessary amendments. In many cases the district reading plan template includes requirements that can now be the choice of the school district.**

Related Information

- There will be no K-2 FAIR progress monitoring system for 2015-2016.
- The kindergarten readiness screener, WSS, will continue to be used next year with two additional reading observation elements added. This tool meets the state requirement for kindergarten screening.
- The results of this observation tool may be used by kindergarten teachers to provide instruction in any gaps observed in a child's kindergarten readiness.



Section 1003.4156, F.S. (Section 3 of HB 7069)

Deletes only the requirement for middle grades students who score Level 1 or Level 2 on ELA FSA and/or Mathematics FSA to be enrolled in a remedial course or a content area course in which remediation strategies are incorporated.

Middle Grades Promotion – Change

- Deletes the requirement that students who score Level 1 or Level 2 on statewide assessments must enroll in and complete a remedial course or a content area course in which remediation strategies are incorporated into course content.

Middle Grades Promotion – Not Changed

- All other middle grades promotion requirements remain in place and unchanged.
- See slide 18 regarding middle grades students taking Algebra I, Algebra II, or Geometry for high school credit.

What does this mean?

- Since we don't have Level 1 and 2 scores before next year, do we just stop providing intensive reading or remediation?
- **This is a local decision. Intensive courses are still options in the Course Code Directory.**
- Since we are no longer required to remediate students, do we have to stop?
- **This is a local decision. Intensive courses are still options in the Course Code Directory.**



Section 1003.4282, F.S. (Section 4 of HB 7069)

Deletes only the requirement for high school students who score Level 1 or Level 2 on ELA FSA and/or Algebra I EOC to be enrolled in a remedial course or a content area course in which remediation strategies are incorporated.

Requirements for a Standard High School Diploma – Change

- Deletes the requirement that students who score Level 1 or Level 2 on statewide assessments must enroll in and complete a remedial course or a content area course in which remediation strategies are incorporated into course content.
- S. 1008.30, F.S.: Deletes the requirement for specified 11th grade students to take a college-ready assessment and, if college-ready scores are not met, complete appropriate postsecondary preparatory instruction.

Requirements for a Standard High School Diploma – Not Changed

- All other high school standard diploma requirements remain in place and unchanged.

What does this mean?

- Does the FSA EOC count for 30% of a student's course grade in Algebra I, Algebra II, and Geometry in 2014-2015 since those scores will not be available before the school year ends?
- Because of the unavailability of independently verified statewide 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.
- This also applies to middle grades students taking these courses for high school credit.
- The absence of EOC results alone in these courses do not result in an Incomplete.
- Districts may choose to establish a policy regarding recalculating course grades when scores are available. If this recommendation is applied, the policy should be applied district-wide to all students for whom the recalculation is an advantage.
- As a reminder, the 30% requirement still applies for EOC results in Biology I, U.S. History, and Civics, as those results will be released in June.

What does this mean?

- Have there been any changes to the Algebra I graduation requirement? What are these changes, if any?
- **No, Algebra I graduation requirements have not changed.**
- Since we don't have Level 1 and 2 scores before next year, do we just stop providing intensive reading or remediation?
- **This is a local decision. Intensive courses are still options in the Course Code Directory.**
- Since we are no longer required to remediate students, do we have to stop?
- **This is a local decision. Intensive courses are still options in the Course Code Directory.**

What does this mean?

- How should districts deal with seniors' EOC scores being delayed this year and how they can determine if the student will graduate?
- District policy may require EOC results to be part of a student's course grade. The chart on the next slide explains when state law requires an EOC assessment must count 30% of a student's course grade and when it is required for graduation. For example, state law only requires fifth-year high school students and students in the 2013-2014 ninth grade cohort and thereafter to have the Algebra I EOC count as 30% of the student's course grade. The fifth-year students (ninth grade cohort 2010-2011) most likely, if they still need to pass the Algebra I course, would have taken the NGSSS Algebra I EOC as a retake this spring. There is not a delay in the reporting of these results.

Ninth Grade Cohort Requirements					
	Before 2010-2011	2010-2011	2011-2012	2012-2013	2013-2014
Algebra I	Course required. Must Pass 10 th grade FCAT Mathematics to graduate.	Course required and EOC constitutes 30% of course grade.	Course required. <u>Must Pass</u> EOC to graduate. EOC is <u>NOT</u> part of course grade and is <u>NOT</u> required for credit.		Course required. <u>Must Pass</u> EOC to graduate and EOC constitutes 30% of course grade.
Algebra II	Course <u>NOT</u> required.				Course <u>NOT</u> required, but EOC constitutes 30% of course grade.
Geometry	Course <u>NOT</u> required.	Course required. The student must take EOC. EOC is <u>NOT</u> part of course grade and is <u>NOT</u> required for credit.			Course required and EOC constitutes 30% of course grade.
Biology I	Course <u>NOT</u> required. However, if the course is taken after 2010-2011, the student must take EOC. EOC is <u>NOT</u> part of course grade and is <u>NOT</u> required for credit.		Course and EOC required. EOC is <u>NOT</u> part of course grade and is <u>NOT</u> required for credit.		Course required and EOC constitutes 30% of course grade.
U.S. History	Course required. If the course is taken after 2011-2012, the student must take EOC. EOC is <u>NOT</u> part of course grade and is <u>NOT</u> required for credit.			Course required and EOC constitutes 30% of course grade.	
Grade 10 English language arts	Course required. Must Pass 10 th grade FCAT Reading to graduate.				Course required. Must Pass 10 th grade ELA FSA to graduate.
Online Course	Course <u>NOT</u> required.	Course <u>NOT</u> required.	At least one course within the 24 credits must be completed through online learning.		

Continued

- State law only requires, for students enrolled in Geometry or Algebra II, the EOC assessment results to count 30% of a student's course grade for students in the 2013-2014 ninth grade cohort and thereafter. (Algebra II course credit is not a requirement for a standard high school diploma.) The district will need to make decisions for seniors if the district has a policy that includes Geometry or Algebra II EOC results as part of a student's course grade.
- There is no delay in the reporting of Biology I, U.S. History, and Civics EOC results.
- Ninth grade cohort graduation requirements can be found at <http://info.fldoe.org/docushare/dsweb/Get/Document-7087/dps-2014-89a.pdf>.



Section 1003.4285, F.S. (Section 5 of HB 7069)

Deletes the requirement that students entering grade 9 in 2014-2015 pass the grade 11 ELA FSA in order to be eligible for a Scholar designation.



Section 1003.621, F.S. (Section 6 of HB 7069)

Requires academically high-performing school districts to comply with the new school start date provision in s. 1001.42, F.S.

(4)(f) "...the opening date for schools in the district may not be earlier than August 10 each year."

What does this mean?

- Does this mean all high-performing school districts begin school August 10th?
- **No, school districts may select their start date as long as it is not prior to August 10th.**
- Does this mean high-performing school districts have to change their 2015-2016 start date if it is prior to August 10th?
- **Yes, high-performing school districts may not start earlier than August 10th.**



Section 1008.22, F.S. (Section 7 of HB 7069)

Student assessment program for public schools

What does this mean?

- Which assessments were eliminated from the statewide assessment program?
- **The grade 11 FSA ELA was eliminated.**

What does this mean?

- When will all of the statewide assessments be administered online?
- All FSAs will be computer-based according to the following timeline, which matches the planned transition timeline:
 - 2015-2016 – Grade 4 FSA ELA
 - 2016-2017 – Grades 3 & 4 FSA Mathematics
 - 2017-2018 – Grade 3 FSA ELA
- The bill does not require computer-based testing for FCAT 2.0 Science.

What does this mean?

- Since most of the EOC subsection was deleted, have the course grading or graduation requirements for EOCs changed?
- Duplicative language was deleted. Course grading requirements are found in s. 1003.4156, F.S., for middle school students and s. 1003.4282, F.S., for high school students; the Algebra I graduation requirement is found in s. 1003.4282, F.S.; and the comparative score provision for Algebra I is found in s. 1008.22(8), F.S.
- Can districts require middle grades students to take FSA Mathematics or FCAT 2.0 Science if they are taking an EOC in the same subject area as part of their course requirements?
- No, language prohibiting double-testing is now found in s. 1008.22(3)(b)2, F.S.

What does this mean?

- What kinds of tests are districts allowed to administer for courses with statewide EOCs?
- Districts may administer tests that focus on specific course content, such as chapter tests, in an effort to monitor student learning throughout the course. Districts may not administer a final cumulative examination if the course has a statewide EOC as part of its requirements.

District-required local assessments may be used as the final exam for non-statewide EOC courses.

- Are districts required to administer an assessment in each course that does not already have a statewide assessment?
- No, districts are not required to administer an assessment for each course.

What does this mean?

- What happens to all of the district assessments? Do districts have to stop administering them?
- Districts may continue to use the assessments they have implemented for measuring student performance, or they may discontinue their use and implement other methods for determining student performance.
- Will the department continue to provide an item bank for districts to use?
- If funding is available and participation is sufficient, the Commissioner plans to assist districts by maintaining a statewide item bank.

What does this mean?

- What does the 5% testing requirement include?
- Districts may not schedule more than 5% of a student's total school hours to administer statewide and district-required local assessments. This includes a student's actual scheduled testing time. It does not include entire "testing windows."
- Assessment definitions will be adopted in State Board rule.
- What is 5% of the school year?
- 5% of 900 hours equals 45 hours.
- What do districts do if a student's projected testing schedule exceeds 5% of the student's total school hours?
- The district must get written parental consent before administering the district-required assessments. Written consent is not required for the statewide assessments.

What does this mean?

- Are there exceptions to the 5%?
- Yes, the 5% does not pertain to:
 - Student-elected common placement testing for public postsecondary education or student-elected accelerated testing (e.g., AP, IB, AICE, industry certifications).
 - Students requiring test accommodations as required by an IEP or as appropriate for an ELL.
- When does the 5% requirement begin?
- The requirement became effective upon becoming law (April 14, 2015).

What does this mean?

- When will a template of the new uniform assessment calendar be available?
- The Commissioner is required to publish the new uniform assessment calendar by August 1, 2016, in a format approved by the State Board.
- When are districts required to begin using the uniform assessment calendar?
- By October 1st each year, beginning in 2016, districts must publish their testing schedules, which must be approved by the school board, on their websites using the uniform calendar format and submit them to the department. The uniform assessment calendar must also be provided in each school's parent guide.

What does this mean?

- What must the uniform calendar include?
- It must provide the following information for the assessment and reporting schedules for the next two school years:
 - Whether the assessment is state or district required
 - The specific dates the assessment will be administered
 - The time allotted to administer each assessment
 - Whether the assessment is computer- or paper-based
 - The grade level or subject area assessed
 - The date results are expected for teachers and parents
 - The purpose, type, and use of the assessment
 - A glossary of assessment terminology
 - Estimates of average time for administering state-required and district-required assessments, by grade level

What does this mean?

- Are there new requirements for reporting test results?
- For any new or renewed contracts, statewide assessments results must be provided to teachers and parents by the end of the school year.
- Student performance results on local assessments must be provided to teachers and parents within 30 days of the test administration.



Section 1008.24, F.S. (Section 8 of HB 7069)

Permits use of employees such as paraprofessionals as assessment proctors and test administrators after they have successfully completed State Board-approved training requirements.

What does this mean?

- Are training requirements that must be successfully completed prior to the employees performing duties the same training as what is currently required or will there be a new training for paraprofessionals?
- The State Board will need to adopt the training requirements in rule. Public workshops will be convened this fall as part of the rulemaking process to determine what training requirements should be recommended to the State Board. It is anticipated that most of the training requirements will continue to be the same as they were this year.
- What should schools do prior to implementation of the rule?
- Until the rule is adopted, schools should follow the requirements stipulated in the *Test Administration Manuals*.



Section 1008.25, F.S. (Section 9 of HB 7069)

Student progression and “support” as opposed to remediation; information on student achievement of standards must be provided to improve instruction; social studies added to student progression and progress monitoring; K-2 grades added to district annual report on number and percent of retained students; ESOL good cause exemption aligned to ESEA waiver.

What does this mean?

- What must student progression from one grade to another be based upon?
- Student progression from one grade to another must be based upon the student mastery of the standards, specifically in English language arts, mathematics, science, and social studies.
- Are we still required to monitor students' reading proficiency?
- The district student progression plan must include criteria that emphasize student reading proficiency in kindergarten through grade 3.
- Each student who does not achieve a Level 3 (satisfactory) or above on a statewide, standardized assessment must be evaluated to determine the nature of the student's difficulty, the areas of academic need, and strategies for providing academic support to improve the student's performance.

What does this mean?

- What is the requirement for a student to be promoted to grade 4?
- Beginning in 2015-2016, grade 3 students must score a Level 2 or higher on the ELA statewide, standardized assessment for promotion to grade 4.
- Can districts require all students who score Level 4 or 5 to participate in a system of progress monitoring assessments?
- This is a local decision. A student who scores Level 4 or above in the specific subject area statewide assessment may be exempted from participation in a schoolwide system of progress monitoring by the principal.



Section 1008.30, F.S. (Section 10 of HB 7069)

Deletes only the requirement for select high school students to take PERT, and based on performance on PERT, be enrolled in college success or readiness courses their senior year. Other text in this section of law remains, continuing to require the State Board to develop and implement a common placement test.

What does this mean?

- Should PERT be administered for the 2014-15 school year?
- **This is a local decision.**
- Are all seniors who did not meet the college-ready requirement required to take the assessment?
- **The former language required identified grade 11 students to take PERT. That is no longer in place. Grade 12 students have not been required to take the PERT.**
- Do we still have to provide the College Readiness courses in reading and mathematics for seniors who have not met the college readiness requirement?
- **This is a local decision. The year-long courses continue to count toward graduation core credit.**

What does this mean?

- Will districts still have PERT available to assess students for dual enrollment and college readiness?
- **Yes, for 2015-2016 PERT will continue to be available.**
- Will PERT still be available as an option for an Algebra I comparative test score?
- **Yes, the current PERT mathematics comparative score will still be an option for students who have not met the Algebra I EOC score requirement until a new comparative score is identified.**



Section 1008.34, F.S. (Section 11 of HB 7069)

DA schools that improve at least one letter grade in 2014-2015 are released from implementation of the turnaround option; Grade 3 students who score in the bottom quintile on the ELA FSA shall be identified as students at risk of retention; requires an independent verification of the psychometric validity of the FSA prior to use for school grades and educator evaluations.

What does this mean?

- Will school grades be calculated for the 2014-2015 school year?
- The law 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.
- Since the passage of Senate Bill 1642 during the 2014 Legislative Session, the planned release of baseline School Grades has been December 2015.
- The conclusion of the validity study by September 1st does not impact that timeline.

What does this mean?

- When will districts receive scores?
- FSA scores cannot be released until after the validity study is completed.
- The results of the study are due by September 1, 2015.
- The validity study only impacts statewide, standardized assessments first implemented in 2014-2015 (i.e., FSA and Algebra I, Algebra II, and Geometry FSA EOCs).
- FCAT 2.0 Science; Biology I, U.S. History, and Civics EOC; and all retake scores will be reported as scheduled.

What does this mean?

- How do we determine which grade 3 students should attend summer reading camp?
- In June, districts will receive a list of grade 3 students who scored in the bottom quintile statewide. These students are identified as at risk of retention. Districts must notify parents of such students, provide evidence of the student meeting a good cause exemption, and provide appropriate intervention and support.
- How will districts be able to make decisions for seniors that are based on assessment scores?
- Most graduating seniors will have the results they need for graduation purposes, since FCAT 2.0 Reading Retake and NGSSS Algebra I EOC results will be released on schedule. There may be some graduating seniors who took the FSA Algebra I EOC. Districts will receive a list of students who met the graduation requirement for FSA Grade 10 ELA and FSA Algebra I EOC through a score linked to 2013-14 performance.

What does this mean?

- What happens if the test is determined to be psychometrically invalid?
- **School Grades and VAM scores cannot be released using data from the FSA and FSA EOCs in Algebra I, Algebra II, and Geometry.**
- Will the validation study delay the process of setting Achievement Levels for the FSA?
- **Not at this time. The convening of standard-setting educator panels is scheduled for late summer, and the results of the study are due by September 1st.**



Section 1012.34, F.S. (Section 12 of HB 7069)

Personnel evaluation procedures and criteria



Our Opportunity

- To reposition teacher evaluation as a part of a professional growth system for educators.
- To reclaim the powerful potential of VAM to support leaders in making data-driven decisions that support student learning and educator growth.

Personnel Evaluation – No Change

- Districts remain responsible for measuring student performance in all grades and subjects (s. 1008.22, F.S.).
- The performance of students component in each teacher's and principal's evaluation must be based on that teacher's or principal's students (s.1012.34, F.S.).

Personnel Evaluation – No Change

- 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 Evaluation – Change

- Districts are no longer responsible for creating assessments of specific types in courses not measured by statewide standardized assessments (s. 1008.22, F.S.).
- Instructional evaluations (s. 1012.34, F.S.) require the following components:
 - At least 1/3 based on performance of students
 - At least 1/3 based on instructional practice
 - Allows for the inclusion of other indicators of performance.

Personnel Evaluation – Change

- Administrative evaluations (s. 1012.34, F.S.) 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 (s. 1012.34, F.S.).

Personnel Evaluation – 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 (s. 1012.34, F.S.).
- 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 (s. 1012.98, F.S.).

Personnel Evaluation – Change

- Data from the 2014-15 Florida Standards Assessments 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.
- The bill removes the requirement for the State Board to adopt student performance levels that result in an unsatisfactory evaluation rating and a highly effective rating.

Also Note

- Beginning in 2015-2016 the district must also use performance standards adopted into State Board Rule for these courses (s. 1012.34, F.S.).
- August 1, 2015, is the deadline for rule adoption in response to HB 7069 (s. 1012.34, F.S.).
- The Commissioner may select additional formulas to measure student performance for the remainder of the statewide, standardized assessments in s. 1008.22, F.S.

What does this mean?

- For instructional evaluations, could a teacher now receive the student learning growth portion of the evaluation calculated from the Reading and Mathematics scores of their students if the teacher does not instruct Reading and Mathematics courses?
- Yes, provided it is based on the students taught by the teacher. However, the department will not be producing a non-FCAT VAM type metric for the FSA, so the district would need to develop its own methodology for doing so.



Section 1012.3401, F.S. (Section 13 of HB 7069)

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



Section 1012.98, F.S. (Section 14 of HB 7069)

Updates language to align with current terminology.



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