

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K - 12

BILL: SB 1078

INTRODUCER: Senator Legg

SUBJECT: Education

DATE: January 26, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	ED	Pre-meeting
2.	_____	_____	AED	_____
3.	_____	_____	AP	_____

I. Summary:

SB 1078 updates terminologies to reflect the current ACT test, ACT Aspire, which has replaced the Preliminary ACT (PLAN) test. Accordingly, the bill conforms existing testing, funding, and reporting provisions associated with PLAN to the change.

The bill takes effect July 1, 2016.

II. Present Situation:

Over the years, the Legislature has enacted laws to ensure that all students have access to high quality education and are prepared for success in college and career.

Specifically, in 2004, the Legislature enacted the Florida Partnership for Minority and Underrepresented Students Achievement Act and created the Florida Partnership for Minority and Underrepresented Student Achievement with the mission to “prepare, inspire, and connect students to postsecondary success and opportunity, with a particular focus on minority students and students who are underrepresented in postsecondary education.”¹ Additionally, the law identifies certain tests that public school students in grade 10 must take, and specifies related funding and reporting requirements.

PSAT/NMSQT or ACT PLAN Tests for Students in Grade 10

Each public high school, including not limited to, schools and alternative sites and centers of the Department of Juvenile Justice, must provide for the administration of the Preliminary

¹ Section 1, ch. 2004-63, L.O.F., *codified at* s. 1007.35, F.S.

SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT),² or Preliminary ACT (PLAN)³ to all students enrolled in grade 10.^{4,5} However, a parent has the opportunity to exempt his or her child from taking the PSAT/NMSQT or PLAN.⁶ Student performance on such tests are intended to help high schools assess if students are “prepared to enroll and be successful in AP courses or other advanced high school courses.”⁷

School districts must choose to administer either the PSAT/NMSQT or PLAN districtwide.⁸ Funding for such tests is contingent on annual funding in the General Appropriations Act.⁹

ACT Aspire

The ACT launched a new student readiness assessment system called ACT Aspire on April 1, 2014.¹⁰ ACT Aspire is the first computer-based longitudinal assessment system connecting student progress from elementary grades through high school in the context of college and career readiness,¹¹ and includes summative 3-8 and 9th/10th grade assessments in English, Reading, Math, Science, and Writing.¹²

III. Effect of Proposed Changes:

SB 1078 updates terminologies to reflect the current ACT test, ACT Aspire, which has replaced the Preliminary ACT (PLAN) test.¹³ Accordingly, the bill conforms existing testing, funding, and reporting provisions associated with PLAN to the change.

The bill takes effect July 1, 2016.

² The PSAT/National Merit Scholarship Qualifying Test (NMSQT) and PSAT 10 also measures what students learn in school and what the students need to succeed in college. College Board, *PSAT/NMSQT and PSAT 10: Inside the Test*, <https://professionals.collegeboard.com/testing/sat> (last visited Jan. 24, 2016); see also College Board International, *PSAT/NMSQT*, <http://international.collegeboard.org/programs/psat-nmsqt-psss> (last visited Jan. 24, 2016).

³ PLAN includes four multiple-choice tests in English, Math, Reading, and Science. ACT, *PLAN*, <https://www.act.org/planstudent/tests/index.html> (last visited Jan. 24, 2016). Typically, students take PLAN in grade 10. ACT, *PLAN*, <https://www.act.org/planstudent/tests/epas.html> (last visited Jan. 24, 2016).

⁴ Section 1007.35(5), F.S.

⁵ In 2015, the Legislature placed limits on the amount of time school districts schedule for administering state-required and district required tests to no more than five percent of a student’s total school hours during a school year, with some exceptions. A district must secure written consent from a student’s parent before administering district-required local assessments, that after applicable statewide, standardized assessments are scheduled, exceed the 5 percent limit on test administration for that student. Additionally, the law eliminated the requirement that a school district administer a local assessment for each course offered by the district, which could include but not be limited to nationally recognized standardized assessments. Section 7, ch. 2015-6, L.O.F. *codified at* s. 1008.22, F.S.

⁶ *Id.*

⁷ Section 1007.35(5)(a), F.S.

⁸ Section 1007.35(5)(c), F.S.

⁹ Section 1007.35(5)(b), F.S.

¹⁰ Since April 1, 2014, more than 3 million tests have been administered. ACT, Inc., *ACT & College and Career Readiness*, on file with the Committee on Education Pre-K – 12, at 9.

¹¹ ACT, *ACT Plan: Overview*, <http://www.act.org/products/k-12-act-plan/> (last visited Jan. 24, 2016).

¹² ACT, Inc., *ACT & College and Career Readiness*, on file with the Committee on Education Pre-K – 12, at 9.

¹³ Since June 13, 2014, ACT PLAN has not been available for test administration or scoring. ACT Aspire, *ACT Aspire Migration FAQs*, <http://www.act.org/migrate/faq.html> (last visited Jan. 24, 2016); see also ACT, *ACT Plan: Overview*, <http://www.act.org/products/k-12-act-plan/> (last visited Jan. 24, 2016).

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1007.35 of the Florida Statutes.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
