

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/CS/HB 293 Middle Grades

SPONSOR(S): Education Committee; PreK-12 Appropriations Subcommittee; Burton and others

TIED BILLS: None **IDEN./SIM. BILLS:** SB 360

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Quality Subcommittee	13 Y, 0 N	McAlarney	Duncan
2) PreK-12 Appropriations Subcommittee	11 Y, 0 N, As CS	Deweese	Potvin
3) Education Committee	17 Y, 0 N, As CS	McAlarney	Hassell

SUMMARY ANALYSIS

The bill directs the Florida Department of Education to issue a competitive solicitation for a contract to conduct a comprehensive study of states with high-performing students in grades 6 through 8 in reading and mathematics, based on the states' performance on the National Assessment of Educational Progress. The findings of the study and the recommendations to improve middle school study performance must be reported to the Governor, the State Board of Education, the President of the Senate, and the Speaker of the House of Representatives by December 2017. The study must include a review of the following general topics:

- Academic expectations and instructional strategies.
- Attendance policies and student mobility issues.
- Teacher quality.
- Middle school administrator leadership and performance.
- Parental and community involvement.

Public school students in grades 6, 7, or 8 must complete a career and education planning course as part of the requirements for middle grade promotion to high school. The bill deletes the requirement for middle grade students to complete the career and education planning course.

The bill is estimated to have a fiscal impact of \$50,000 to the Department of Education.

The bill provides an effective date of July 1, 2017.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

National and International Assessments

In addition to the administration of statewide, standardized assessments, Florida school districts are required to participate in the administration of the National Assessment of Educational Progress, or similar national or international assessments, both for the national sample and for any state-by-state comparison programs, as directed by the Commissioner of Education.¹

The National Assessment of Educational Progress (NAEP)

The NAEP is the largest nationally representative assessment of students' knowledge and performance in a variety of subject areas, including but not limited to mathematics, reading, and writing.² The NAEP provides results on subject matter achievement or student populations, subgroups of student populations, and under certain circumstances, by selected large urban school districts.³ The NAEP in reading and mathematics is administered to a representative sample of students in grades 4 and 8 every two years.⁴ The NAEP reports assessment results using three achievement levels:⁵

- Basic – A student achieving the Basic level demonstrates a partial mastery of prerequisite knowledge and skills that are fundamental for proficient work at each grade.
- Proficient – A student achieving the Proficient level demonstrates solid academic performance at the grade assessed. Students reaching this level have demonstrated competency over challenging subject matter, including subject-matter knowledge, application of such knowledge to real-world situations, and analytical skills appropriate to the subject matter.
- Advanced – A student achieving the Advanced level demonstrates superior performance.

According to the Department of Education, participation in the NAEP provides a basis for comparing the knowledge and skills of Florida students with students in other states, jurisdictions, and with the nation as a whole.⁶

The most recent results available are from 2015, which were released in October 2015. NAEP reading and mathematics were administered in March 2017; however, the results are not yet available.⁷

NAEP Reading

The following table shows performance trends of students in grade 8 on the NAEP reading assessment compared to the national average.⁸

¹ Section 1008.22(2), F.S.

² National Center for Education Statistics, National Assessment of Educational Progress (NAEP), *NAEP Overview*, <https://nces.ed.gov/nationsreportcard/about/> (last visited March 10, 2017). Additional NAEP subject area assessments include science, the arts, civics, economics, geography, U.S. History, and Technology and Engineering Literacy. *Id.*

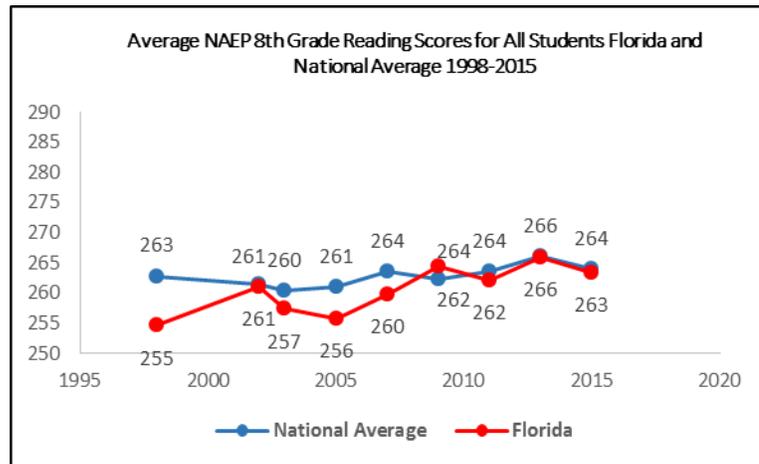
³ *Id.*

⁴ The Nation's Report Card, *Overview of the Nation's Report Card – What subjects does NAEP assess, and how are subjects chosen?*, <https://nationsreportcard.gov/faq.aspx#g9> (last visited March 10, 2017).

⁵ National Center for Education Statistics, NAEP Achievement Levels, <https://nces.ed.gov/nationsreportcard/achievement.aspx> (last visited March 10, 2017).

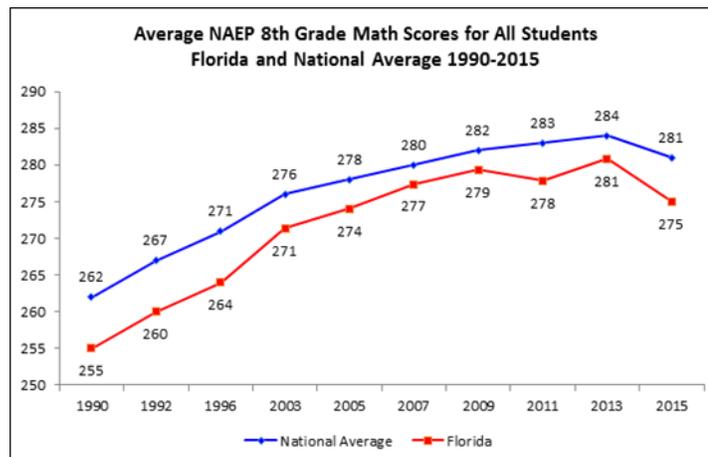
⁶ Florida Department of Education, National & International Assessments, <http://www.fldoe.org/accountability/assessments/national-international-assessments/> (last visited March 10, 2017).

⁷ Email, Florida Department of Education, 2017 Agency Legislative Bill Analysis, HB 293 (March 8, 2017).



NAEP Mathematics

The following table shows performance trends of students in grade 8 on the NAEP mathematics assessment compared to the national average.⁹



Florida's Statewide, Standardized Assessment Program

The statewide assessment program for Florida's public schools includes statewide, standardized assessments for English Language Arts (ELA) (grades 3-10) and mathematics (grades 3-8); end-of-course (EOC) assessments for Algebra I, Algebra II, Geometry, Biology I, Civics, and U.S. History; and the Statewide Science Assessment (grades 5 and 8).¹⁰

The assessments measure the extent to which students have mastered Florida's academic content standards, the Next-Generation Sunshine State Standards (NGSSS) and Florida Standards.¹¹ The grade-level ELA and math assessments and Algebra I, Geometry, and Algebra II EOC assessments

⁸ Email, Foundation for Florida's Future, (Feb. 27, 2017).

⁹ *Id.*

¹⁰ Sections 1008.22(3), 1003.4156, and 1003.4282, F.S. Retake administrations are offered for the Grade 10 FSA ELA and Algebra I EOC assessment. Florida Department of Education, Division of Public Schools, *2016-17 Statewide Assessment Schedule Revisions and 2017-18 Preliminary Schedule Release*, Memorandum (August 1, 2016), available at <http://info.fldoe.org/docushare/dsweb/Get/Document-7699/dps-2016-125.pdf>.

¹¹ See Florida Department of Education, *ESEA Flexibility Request* (August 21, 2015) at 98, available at <http://www.fldoe.org/core/fileparse.php/5637/urlt/15WaiverRenewalESEA.pdf> [hereinafter referred to as *ESEA Flexibility Request*].

are referred to as the Florida Standards Assessments (FSA). EOC assessments count as 30 percent of a student's final course grade.¹²

Results from the assessments are used to calculate school grades and school improvement ratings¹³ and determine student readiness for promotion to 4th grade and high school graduation.¹⁴ In addition, school districts use student performance data from the assessments in the performance evaluations for instructional personnel and school administrators.¹⁵

Florida and federal law require that all public school students participate in statewide, standardized ELA and math assessments at least annually beginning in the 3rd grade.¹⁶ Federal law also requires that students participate in a standardized science assessment at least once in each of grades 3 through 5, 6 through 9, and 10 through 12.¹⁷ The requirements for students in Florida are as follows:¹⁸

- ELA
 - Grades 3-10: annual participation in the FSA-ELA
- Math
 - Grades 3-8: annual participation in the math FSA
 - High school:
 - Algebra I EOC and Geometry assessments
 - (If enrolled) Algebra II EOC assessment
- Science
 - Grades 5 and 8: Statewide Science Assessment
 - High school: Biology I EOC assessment
- Social Studies
 - Middle school: Civics EOC assessment
 - High school: U.S. History EOC assessment

The law also provides that middle school students enrolled in a course with an associated EOC assessment must take the EOC assessment for that course and may not take the corresponding grade-level statewide, standardized assessment.¹⁹ For example, an 8th grade student who is enrolled in Algebra I must take the Algebra I EOC assessment and may not be administered the 8th grade FSA math assessment.²⁰

All statewide, standardized assessments and EOC assessments must use scaled scores and achievement levels.²¹ Achievement levels must range from 1 through 5, with level 1 being the lowest achievement level, level 5 being the highest achievement level, and level 3 indicating satisfactory performance on an assessment.²²

Trends in student performance on statewide, standardized reading, ELA, and mathematics assessments for the middle grades are indicated below.

¹² Sections 1003.4156(1)(c)-(d) and 1003.4282(3), F.S.

¹³ See ss. 1008.34 and 1008.341, F.S.

¹⁴ See ss. 1008.25(5) and 1003.4282(3)(a) and (b), F.S.

¹⁵ See s. 1012.34(3)(a)1., F.S.; rules 6A-5.030(2)(a), F.A.C.

¹⁶ See s. 1008.22(3)(a); 20 U.S.C. s. 6311(b)(2)(v)(I).

¹⁷ See 20 U.S.C. s. 6311(b)(2)(B)(v)(II).

¹⁸ See s. 1008.22(3)(a) and (b), F.S.

¹⁹ Section 1008.22(3)(b)2., F.S. For example, an 8th grade student who is enrolled in Algebra I must take the Algebra I EOC assessment and may not be administered the 8th grade FSA math assessment.

²⁰ Section 1008.22(3)(b)2., F.S.

²¹ Section 1008.22(3)(e), F.S. and Rule 6A-1.09422, F.A.C.

²² *Id.*

Reading and English Language Arts

The following table shows performance trends of students in grade 6 scoring at each achievement level on the statewide, standardized Reading and ELA assessment, as applicable.²³

Grade 6 Student Performance on Statewide, Standardized Reading or ELA Assessment						
Year	Test	Level 1	Level 2	Level 3	Level 4	Level 5
2010-11	FCAT 2.0 Reading	17%	24%	29%	19%	10%
2011-12	FCAT 2.0 Reading	19%	24%	28%	19%	10%
2012-13	FCAT 2.0 Reading	19%	23%	28%	20%	10%
2013-14	FCAT 2.0 Reading	16%	23%	28%	20%	11%
2014-15	FSA ELA	24%	26%	22%	21%	8%
2015-16	FSA ELA	22%	26%	22%	21%	8%

The following table shows performance trends of students in grade 7 scoring at each achievement level on the statewide, standardized Reading and ELA assessment, as applicable.²⁴

Grade 7 Student Performance on Statewide, Standardized Reading or ELA Assessment						
Year	Test	Level 1	Level 2	Level 3	Level 4	Level 5
2010-11	FCAT 2.0 Reading	18%	24%	29%	19%	10%
2011-12	FCAT 2.0 Reading	18%	25%	29%	19%	11%
2012-13	FCAT 2.0 Reading	20%	23%	27%	19%	11%
2013-14	FCAT 2.0 Reading	21%	23%	27%	19%	11%
2014-15	FSA ELA	25%	24%	23%	18%	11%
2015-16	FSA ELA	27%	24%	22%	17%	10%

The following table shows performance trends of students in grade 8 scoring at each achievement level on the statewide, standardized Reading and ELA assessment, as applicable.²⁵

Grade 8 Student Performance on Statewide, Standardized Reading or ELA Assessment						
Year	Test	Level 1	Level 2	Level 3	Level 4	Level 5
2010-11	FCAT 2.0 Reading	19%	28%	26%	17%	10%
2011-12	FCAT 2.0 Reading	17%	27%	26%	18%	12%
2012-13	FCAT 2.0 Reading	17%	27%	26%	19%	11%
2013-2014	FCAT 2.0 Reading	18%	25%	25%	19%	12%
2014-2015	FSA ELA	23%	22%	26%	18%	11%
2015-2016	FSA ELA	22%	21%	26%	19%	12%

Mathematics

The following table shows performance trends of students in grade 6 scoring at each achievement level on the statewide, standardized mathematics assessment.²⁶

Grade 6 Student Performance on Statewide, Standardized Mathematics Assessment						
Year	Test	Level 1	Level 2	Level 3	Level 4	Level 5
2010-11	FCAT 2.0	22%	24%	26%	18%	9%
2011-12	FCAT 2.0	23%	25%	25%	18%	10%
2012-13	FCAT 2.0	23%	24%	25%	18%	10%
2013-14	FCAT 2.0	23%	23%	24%	19%	11%

²³ Email, Florida Department of Education (Feb. 28, 2017).

²⁴ *Id.*

²⁵ *Id.*

²⁶ Email, Florida Department of Education (Feb. 28, 2017).

2014-15	FSA	26%	24%	23%	19%	8%
2015-16	FSA	26%	24%	23%	18%	8%

The following table shows performance trends of students in grade 7 scoring at each achievement level on the statewide, standardized mathematics assessment.²⁷

Grade 7 Student Performance on Statewide, Standardized Mathematics Assessment						
Year	Test	Level 1	Level 2	Level 3	Level 4	Level 5
2010-11	FCAT 2.0	20%	24%	28%	18%	10%
2011-12	FCAT 2.0	20%	24%	27%	18%	10%
2012-13	FCAT 2.0	21%	24%	27%	18%	9%
2013-14	FCAT 2.0	21%	23%	28%	19%	9%
2014-15	FSA	25%	23%	27%	16%	9%
2015-16	FSA	27%	21%	27%	17%	9%

The following table shows performance trends of students in grade 8 scoring at each achievement level on the statewide, standardized mathematics assessment.²⁸

Grade 8 Student Performance on Statewide, Standardized Mathematics Assessment						
Year	Test	Level 1	Level 2	Level 3	Level 4	Level 5
2010-11	FCAT 2.0	22%	22%	30%	16%	10%
2011-12	FCAT 2.0	22%	21%	30%	16%	11%
2012-13	FCAT 2.0	25%	24%	31%	14%	6%
2013-14	FCAT 2.0	28%	25%	29%	12%	6%
2014-15	FSA	29%	26%	26%	12%	7%
2015-16	FSA	28%	24%	26%	12%	10%

Middle Grades Career and Education Planning Course

Public school students in grades 6, 7, or 8 must complete a career and education planning course which results in completion of an academic and career plan for the student. Schools must inform parents about the course curriculum and activities. At a minimum the course must be internet -based and easy to use. Among other things, the course must emphasize entrepreneurship skills, technology or the application of technology in career fields, and must include information from the DEO’s economic security report.²⁹

Effect of Proposed Changes

Comprehensive Middle School Study

The bill requires the Department of Education (DOE) to issue a competitive solicitation for a contract to conduct a comprehensive study of states with high-performing students in grades 6 through 8 in reading and mathematics, based on the states’ performance on the National Assessment of Educational Progress (NAEP).

The study must include a review, at a minimum, of the following:

- Academic expectation and instructional strategies. These strategies include the:

²⁷ *Id.*

²⁸ *Id.*

²⁹ Section 1003.4156(1)(e), F.S. The Department of Economic Opportunity, in consultation with the Department of Education, is required to prepare, or contract with an entity to prepare, an economic security report of employment and earning outcomes for degrees or certificates earned at public postsecondary educational institutions. Section 445.07, F.S.

- alignment of elementary and middle grades expectations with high school graduation requirements;
 - strategies used to improve reading comprehension through the use of background knowledge and the use of sequenced curriculum programming and content rich texts to increase literacy skills in kindergarten through grade 8;
 - research-based instructional practices in reading and mathematics, including those targeting low-performing students;
 - rigor of the curriculum and courses and the availability of accelerated courses;
 - availability of student support services;
 - course sequencing and prerequisites for advanced courses; and
 - availability of other academic and non-core classes, and electives.
- Attendance policies and student mobility issues.
 - Teacher quality, which includes:
 - teacher certification and recertification requirements;
 - teacher preparedness to teach rigorous courses;
 - teacher preparation specific to teaching the middle school student;
 - teacher recruitment and vacancy issues;
 - staff development requirements and the availability of effective training;
 - teacher collaboration and planning at the school and district levels; and
 - student performance data collection and dissemination.
 - Middle school administrator leadership and performance; and
 - Parental and community involvement.

The bill requires the DOE to submit a report on the findings of the comprehensive study and make recommendations to improve middle school student performance, to the Governor, the State Board of Education, the President of the Senate, and the Speaker of the House of Representatives by December 2017. The bill provides for expiration of the provisions related to the comprehensive study after the submission of the final report.

The bill provides an appropriation in the sum of \$50,000 in nonrecurring funds from the General Revenue Fund to the DOE to fund the comprehensive study.

Middle Grades Career and Education Planning

The bill deletes the requirement for middle grade students to complete a course in career and education planning.

B. SECTION DIRECTORY:

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| Section 1 | Directs the Department of Education to issue a competitive solicitation for a contract to conduct a comprehensive study of states with high-performing students in grades 6-8 in reading and mathematics, based upon the states' performance on the National Assessment of Educational Progress. |
| Section 2 | Deletes the requirement for middle grade students to complete a course in career and education planning in order to be promoted to high school. |
| Section 3 | Provides an appropriation in the sum of \$50,000 in nonrecurring funds from the General Revenue Fund to the DOE to fund the comprehensive study. |
| Section 4 | Provides an effective date of July 1, 2017. |

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The Department of Education estimates a \$50,000 fiscal for the comprehensive study.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

None.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

According to the Florida Department of Education:

In November 2015, the department analyzed how other high-performing states define and report their state assessment achievement level results. This study used *Education Week's Quality Counts* (2015) rank, which was based on the National Assessment of Educational Progress (NAEP) 2013 results, to determine the top 10 ranked states in grades 4 and 8 reading and mathematics and looked at the percentage at or above the 2015 NAEP Proficient level, the percentage at or above the state's cut point for proficiency/meeting expectations, and the difference between these two

measurements. The study also performed this analysis on the most populated states (California, Texas, New York and Illinois). The results of the analysis were presented to the State Board of Education on December 4, 2015, and are posted at <http://fldoe.org/core/fileparse.php/13152/urlt/NAEPANALYSIS.pdf>.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 28, 2017, the PreK-12 Appropriations Subcommittee adopted three amendments and reported the bill favorably as a committee substitute. Amendment one requires the DOE to issue a competitive solicitation for a contract to conduct a comprehensive study on middle school performance. Amendment two clarifies that the report includes findings of the comprehensive study. Amendment three provides an appropriation to fund the comprehensive study.

The analysis is drafted to reflect the committee substitute.

On April 6, 2017, the Education Committee adopted two amendments and reported the bill favorably as a committee substitute. Amendment one requires the following general topics to be included the comprehensive study:

- Strategies used to improve reading comprehension through the use of background knowledge and the use of sequenced curriculum programming and content rich texts to increase literacy skills in kindergarten through grade 8;
- Course sequencing and prerequisites for advanced courses; and
- Availability of other academic and non-core classes, and electives.

The amendment also provides that the following topics relating to teacher quality must be included in the comprehensive study:

- Teacher preparation specific to teaching the middle school student;
- Teacher collaboration and planning provisions, both at the school and district levels; and
- Student performance data collection and dissemination.

Amendment two deletes the requirement for middle grade students to complete a course in career and education planning.

The analysis is drafted to reflect the committee substitute passed by the Education Committee.