

HB 507 Bill Information

CS/CS/HB 507: Education SIM. BILLS: CS/SB 1108

<https://www.myfloridahouse.gov/Sections/Bills/billsdetail.aspx?BillId=70768>

GENERAL BILL by Education and Employment Committee ; Post-Secondary Education and Lifelong Learning Subcommittee ; Rizo ; (CO-INTRODUCERS) Barnaby ; Bush ; Snyder ; Trabulsy

House Of Representatives Staff Analysis Date: 4/20/2021

BILL #: CS/CS/HB 507 Education SPONSOR(S): Education & Employment Committee, Post-Secondary Education & Lifelong Learning Subcommittee, Rizo and others TIED BILLS: None IDEN./SIM. BILLS: CS/SB 1108

<https://www.flsenate.gov/Session/Bill/2021/507/Analyses/h0507g.EEC.PDF>

Amendment No. 4

COMMITTEE/SUBCOMMITTEE AMENDMENT Bill No. CS/HB 507 (2021)

1 Committee/Subcommittee hearing bill: Education & Employment 2 Committee 3

Representative Aloupis offered the following:

<https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?FileName=971583.docx&DocumentType=Amendments&BillNumber=0507&Session=2021>

Four concerns with the English Learner section of the bill and suggested amendments

1. The English Learner (EL) section of the bill does not bring Florida accountability law into alignment with the ESSA requirement to do everything possible to provide native language assessments. Further, it does not provide for a uniform state system of assessments. It is likely that the provisions in the English Learner section will be rejected by the US Department of Education (USED). However, a native language assessment that addresses the same standards as the FSA ELA is not a different test but an accommodation. Native language accommodations of this sort have been approved by the USED for 31 states. See those states on a map at <https://drive.google.com/file/d/1yxVNEiVzN-gUhP4xzLMZwfbdtZ81qWAe/view> Florida could have the same positive results as Texas students taking native language assessments that permit them to show what they know. Texas ELs taking Spanish-language reading and writing were twice as likely to meet grade level standards than ELs taking the same assessments in English. For more information on the Texas results, see page 4 at http://publications.unidosus.org/bitstream/handle/123456789/1990/unidosus_nativelanguageassessments_whitepaper.pdf?sequence=4&isAllowed=y

Suggested Strike-All Amendment

The Florida Department of Education shall implement a phased-in approach to providing native language assessments in the content area for ELs subject to parental opt-out, starting with those assessments and EOC exams required for high school graduation and with the two languages most used by Florida ELs: Spanish and Haitian Creole, with the FLDOE to set a timetable for phasing in additional content assessments and languages as feasible. Please see the language use map by state at

<https://drive.google.com/file/d/18dZz38abQ0WAUK7Z-dvY5QbHjhrIU6-A/view>

2. There are requirements in federal law that control how assessment scores are used. The current EL section of the bill would constitute a change in Florida's accountability law and in the state ESSA plan, a change that must be submitted for approval by USED. The proposal does not meet federal requirements and is therefore not likely to be approved, putting at risk ESSA dollars allocated to Florida. As stated by Jason Botel, Principal Deputy Assistant Secretary, Office of Elementary and Secondary Education, in Interim Feedback on Florida's ESSA plan, "The ESEA requires a State to establish and describe in its State plan its system of annual meaningful differentiation, including a description of how the system is based on **all indicators, for all students and all subgroups of students.**" The full text of his letter is here.

https://drive.google.com/file/d/1oNuSBLWDKc5Qx09y2P67lhB24Hj2_4wh/view

Florida statute **1008.22 Student assessment program for public schools**

(9) CONCORDANT SCORES

"The Commissioner of Education must identify scores on the SAT and ACT that if achieved satisfy the graduation requirement that a student pass the grade 10 statewide, standardized Reading assessment or, upon implementation, the grade 10 ELA assessment. The commissioner may identify concordant scores on assessments other than the SAT and ACT. "

The PAA or Prueba de Aptitud Académica is an educational assessment that is used to help universities across Latin America select incoming students. More specifically, it is a standardized test for university admissions. It is offered by College Board Puerto Rico y America Latina (CBPRAL), part of the College Board. The PAA is not a translation of the Scholastic Aptitude Test used in the United States and it is developed independently from the SAT, even though the PAA measures the same constructs as the SAT. The fourth generation of the PAA, launched in Puerto Rico in December 2017, assesses three components: **Reading and Writing**, Mathematics, and English as a Second Language. A 200- to 800-point scale is used for each component.

[https://en.wikipedia.org/wiki/PAA_\(test\)](https://en.wikipedia.org/wiki/PAA_(test)) .

Suggested Amendment

The Commissioner of Education shall **identify scores on the** Reading and Writing section of the College Board's Prueba de Aptitud Académica (PAA) **that if** achieved satisfy the graduation requirement that a student pass the grade 10 statewide, standardized Reading assessment.

3. By definition, all English Learners (ELs) face language barriers which limit their ability to be successful on assessments presented only in the English language. Each year, an English Language Proficiency test is administered to gauge progress in learning the English language and to confirm continued status as an English language learner. Floridians demand fair treatment of children and a logical and effective state accountability system. Fair play is the uniform treatment of persons similarly situated. There is no equal treatment of all ELs if only those who arrived within the past two years are singled out as beneficiaries of a proposed solution, with no remedy for the rest of the EL student population.

Suggested Amendment

The opportunity to demonstrate that standards are met through formative assessments shall be provided to all state and EOC assessments for all ELs in all grades.

4. Access to summer school programs and to 13th Year programs are already available to ELs. What is not generally available is opportunity for students who must work because of COVID relate economic hardships to also attend school.

Suggested Amendment

Summer school and 13th Year programs designed to assist students to meet graduation requirements should feature flexible schedules and remote options so that students who must work will also be able to attend school.

Contact

Rosa Castro Feinberg, Ph. D. rcastro@fiu.edu

Associate Professor (Retired) Florida International University

Co-Chair, Government and Media Relations Committee, LULAC Florida

Manager, Sunshine State TESOL Advocacy Mailing List