



The Florida Senate

Interim Project Report No. 98-18

October 1998

Committee on Education

Senator John Grant, Chairman

ELEMENTARY STUDENT PROGRESS, IMPLEMENTATION OF CH. 97-309, L.O.F.

SUMMARY

The intent of SB 1956 (chapter 97-309, Laws of Florida (L.O.F.)) is central to the purpose of elementary school: teaching students to read, write and perform mathematic computations. The law requires academic improvement plans for students whose progress is below acceptable levels. Intensive instruction is required to address a student's reading deficiency. And retention in grade is mandated for students who continue to perform below the acceptable levels.

School districts are implementing the law. They encountered difficulty because of the lack of clarity in the statute, the absence of statewide performance standards, and the requirement that the bill be implemented immediately.

Section 232.245, F.S., should be revised to provide a clear, consistent policy for elementary student progress, including the policy for retention. The importance of reading before all other subjects and the importance of writing, mathematics, and reading as the top priorities of elementary school should be established. A reading center to convey the latest scientific information about reading to teachers and to students who are preparing to be teachers would benefit elementary education. Adequate resources and incentives should be provided to school districts to achieve the goals of SB 1956. The implementation of reading readiness activities in all preschool programs would better prepare children to become readers in elementary school.

BACKGROUND

The 1997 Legislature passed Senate Bill 1956 (chapter 97-309, L.O.F.) which amended s. 232.245, F.S., to require that student progress be based on proficiency in reading, writing, and mathematics. Another bill passed by the 1997 Legislature, SB 458 (chapter 97-2, Laws of

Florida (L.O.F.)), amended s. 232.245, F.S., as well, resulting in a policy that is not consistent. Recognizing that the statute requires changes to make a consistent, clear policy, the Senate conducted this interim project to determine how school districts are implementing the law and to identify potential changes to the statute.

The 1996 Legislature passed a bill strengthening high school standards which was vetoed by the Governor because it contained a provision authorizing school prayer. In the beginning of the 1997 Session, the Legislature passed Senate Bill 458 (chapter 97-2, Laws of Florida (L.O.F.)), the high school standards bill without the school prayer provision. In addition to high school standards, SB 458 included a provision that permitted retention of students in grade 5 if their reading deficiency had not been remedied. Later in the 1997 Session, the Legislature passed SB 1956 (chapter 97-309, L.O.F.), which required that progress be based on student achievement and mandated retention at the end of grade 2, grade 3, or grade 4 for students whose performance was below an acceptable level. The passage of two laws amending the same statute created a mixed message about whether retention is required or suggested and created a discrepancy about the grade level at which retention should take place.

Senate Bill 1956

With the intent of making student progress dependent on proficiency in reading, writing, and mathematics, SB 1956 required intensive instruction for students whose performance is below district and state standards for those three subjects. The school must prepare an academic improvement plan (AIP) for each student whose performance is below the standards.

Under the provisions of SB 1956, a student must be retained if his or her reading deficiency is not remedied by the end of grades 2 or 3, or if he or she scores below

the acceptable performance level in reading and writing on the statewide assessment tests given at grade 4.

Funds for Implementation of SB 1956

The 1997-98 General Appropriations Act designated four sources of funds for implementation of SB 1956. In Specific Appropriation # 107 school districts were given the authority to spend funds appropriated for K-8 summer school, class size reduction, full service schools, and public school technology to achieve the performance levels required by SB 1956. These funding sources combined contained \$273 million.

The 1998-99 General Appropriations Act, in specific Appropriation # 118, gave districts flexibility over three sources of funds to meet students' needs. The fund sources were: grades K-8 summer school, class-size reduction, and public school technology. These funding sources combined contain \$263,100,000.

Specific Appropriation Number 125A of the 1998-99 General Appropriations Act provided \$10,000,000 for designated reading programs. The Governor vetoed a \$250,000 appropriation for NCS software, leaving the amount of \$9,750,000 for reading programs.

Historical Precedent: the Primary Education Program (PREP)

The intent of SB 1956 is similar to the intent of a previous elementary school program that was known as the Primary Education Program (PREP). The PREP program was in effect from 1979 -1994. The law required assessment of each child upon entry into elementary school and an academic plan for each child tailored to the strengths and weaknesses shown by the assessment. Categorical funding was provided to lower class size and to pay the salaries of PREP specialists who assisted classroom teachers with assessment and the development of individual education plans. The PREP program suffered from the lack of a performance evaluation, and the funding was discontinued when categorical funds were rolled into the base funding in the FEFP. The law was repealed in 1994. Some school districts still base their elementary program on the elements of the PREP program and adapted that approach in the implementation of SB 1956.

Retention v. Social Promotion

Retention in grade means that a student who performs below an acceptable level stays in a grade for a second year and repeats the work, or studies the same subject

matter in a different way. Social promotion means that a student who performs below an acceptable level is promoted to the next grade along with his age-group peers with the expectation that he likely will not perform on grade level. American educators have tended to favor and disfavor the practice of retention in a cyclical fashion for most of this century. In times when retention is favored, it is seen as a way to enforce performance standards. Most educational research shows that retention does not help students in the long run; being over age for grade is highly correlated with dropping out of school.

In 1986-87, 11.4 percent of Florida kindergarten students and 11 percent of first grade students were retained in school. The retention of 41,000 students in grades K-3 cost the state approximately \$123 million for the repeated grades in 1986-87. The Senate Education committee convened a subcommittee on retention to investigate the rate of retention of students in kindergarten and first grade. The subcommittee concluded that the practice of retention should be discouraged and directed the Department of Education to implement policies to do so. The subcommittee did not consider legislation to be necessary and did not propose any.

Minimizing retention was not accompanied by an increase in student achievement. By 1997, concern over low reading and math scores in public school and high enrollment in remedial classes in community colleges led to the enactment of SB 1956. The practice of retention had once again come into favor and was incorporated in the bill as an assurance to the public that standards would be set and adhered to. Thus, the law requires retention for students whose performance is below an acceptable level.

Retention and social promotion both require the child to accommodate to the system rather than the system accommodating the needs of the child. The young child is given the message that he or she does not fit the system, and that message tends to be a self fulfilling prophesy. An alternative to retention or social promotion would be an individualized education plan tailored to the needs and abilities of the child, with a focus on the basic skills of reading, writing, and mathematical computation. Such individualized instruction is required by SB 1956, with retention as a last resort.

METHODOLOGY

A survey was sent to each school district superintendent asking how the district implemented the requirements of SB 1956. The survey asked if the district experienced problems implementing the law and if the district would suggest changes to the statute. Fifty-three of the 67 school districts responded to the survey. Many school district personnel who answered the survey consulted with committee staff as they were gathering information for the survey, and those discussions helped frame the issues as well.

Staff met with educators and psychologists who are experts on reading, interviewed DOE staff, and attended the National Governor's Association meeting on Education in the Early Years where speakers from other states and nations spoke about their reading programs.

FINDINGS

Implementation of the law

All of the school districts that responded to the survey are implementing the law. Some districts began implementation in 1997-98, as the statute requires. Other districts planned in 1997-98 and began implementation in 1998-99. A DOE technical assistance paper told districts that "implementation should be in place by the end of the 1997-98 school year with the first identification of students needing help occurring then." Rather than identifying students at the end of an academic year, some districts waited until the beginning of the 1998-99 school year to identify students who needed help.

Student Proficiency Levels

The statute requires the Commissioner of Education to set proficiency levels on statewide assessments at selected grade levels. The commissioner has not set proficiency levels. Thus, districts have implemented the law based on district criteria.

Problems Encountered by Districts

Districts cited fourteen problems with their implementation of the law:

1. The list of strategies is too limited.
2. Funding is insufficient, especially in schools where many students have reading deficiencies.
3. High student mobility makes it difficult to address students' needs.
4. The paperwork is a burdensome requirement.

5. There was insufficient time for teacher inservice training.
6. The short time frame for implementing the law made it difficult to accomplish all that was required. There was insufficient time to connect with technology.
7. The statute is unclear about the policy for retention.
8. There were no state proficiency standards.
9. There were not enough reading specialists to assist classroom teachers.
10. Parents opposed retention.
11. There was no transportation for an extended day.
12. Education research does not support retention.
13. It was difficult to get parents to attend conferences.
14. There are potential legal issues regarding retention and the "right" to remediation.

These problems likely were magnified by the requirement for immediate implementation of the bill.

Funds for Implementation of SB 1956

The Legislature provided \$2.7 billion in base funding for students in grades K-5 in 1998-99. The main activity supported by these funds should be instruction in the basic subjects of reading, writing and mathematics. In addition to the basic funding, specific programs such as exceptional student education or English to speakers of other languages support elementary education.

The 1997-98 General Appropriations Act designated four sources of funds for implementation of SB 1956. In Specific Appropriation # 107 school districts were given the authority to spend funds appropriated for K-8 summer school, class size reduction, full service schools, and public school technology to achieve the performance levels required by SB 1956. These funding sources combined contained \$273 million.

The 1998-99 General Appropriations Act, in specific Appropriation # 118, gave districts flexibility over three sources of funds to meet students' needs. The fund sources were: grades K-8 summer school, class-size reduction, and public school technology. These funding sources combined contain \$263,100,000.

Specific Appropriation Number 125A of the 1998-99 General Appropriations Act provided \$10,000,000 for Reading Programs and required that certain programs would be funded by specified portions of the appropriation. The money was allocated as follows: \$5,000,000 for home-based reading instruction; \$250,000 for the NCS Abacus Instructional Software;

\$1,500,000 for Project Child; and the remaining funds were designated for the intensive reading instruction required by 232.245, F.S.; Reading Recovery Programs; and Home Instruction Program for Preschool Youngsters (HIPPY). The governor vetoed the \$250,000 appropriation for NCS Abacus Instructional Software; the remaining \$9,750,000 is available to districts in the 1998-99 school year.

In Specific Appropriation # 130A, the 1998 Legislature appropriated \$2,000,000 for coalition incentives for early childhood programs. In recognition of the importance of pre-reading activities in preschool, the Commissioner designated the funds for competitive grants for reading readiness for three and four year old children. A program of reading readiness before entry into kindergarten would strengthen the elementary program by giving children the language experiences that precede reading.

RECOMMENDATIONS

The intent of SB 1956 focuses on the main purpose of the primary grades, and the intent of the law has been embraced by districts. Implementation of the statute has

been impeded by the lack of clarity in the statute itself, the absence of statewide performance standards, and a lack of professional development. The following recommendations would enable Florida elementary schools to fully implement the intent of SB 1956:

1. Revise s. 232.245, F.S., to provide a clear, consistent policy for elementary student progress.
2. Clarify the policy for retention and the grades at which it is suggested or required.
3. Clarify the emphasis on reading writing, and mathematics in elementary school to establish reading as the first priority and to make reading, writing and mathematics the primary focus of the first three years of school.
4. Create a Reading Center to convey the latest scientific information to teachers and to students who are preparing to be teachers.
5. Assure resources and incentives to school districts to achieve the goals of SB 1956.
6. Implement reading readiness activities in all preschool programs.

COMMITTEE(S) INVOLVED IN REPORT *(Contact first committee for more information.)*

Committee on Education, 404 South Monroe Street, Tallahassee, FL 32399-1100, (850) 487-5213 SunCom 277-5213

MEMBER OVERSIGHT

Senator Tom Lee