

Office of School Board Attorney
Walter J. Harvey, School Board Attorney

**SUBJECT: INITIAL READING: TO AMEND POLICY 2623, STUDENT ASSESSMENT,
AND TO ADOPT POLICY 2624, ACHIEVEMENT GAP OVERSIGHT
COMMITTEE**

COMMITTEE: ACADEMICS, INNOVATION, EVALUATION & TECHNOLOGY

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At its regular Board Meeting of February 10, 2021, the Board approved Agenda Item H-21 (Revised²), *Closing the Achievement Gap in Miami-Dade County Public Schools*, sponsored by Dr. Steve Gallon, III, Vice-Chair. Item H-21 authorized the Superintendent to initiate rulemaking proceedings to establish an Achievement Gap Oversight Committee comprised of members appointed by each School Board Member, the Superintendent, the United Teachers of Dade, Diversity Equity and Excellence Advisory Committee, Dade Council of PTA/PTSA, National Association for the Advancement of Colored People (NAACP), Urban League, Spanish American League Against Discrimination (SALAD), The Children's Trust, and related community organizations. Additionally, Item H-21 authorized the Superintendent to initiate rulemaking proceedings to provide an annual analysis and update to the School Board on data regarding the achievement gap for ELA, Mathematics, Social Studies, and Science, and for graduation rates, and dropout rates.

Board Policy 2624, *Achievement Gap Oversight Committee*, is proposed for adoption to establish a committee comprised of Board member and Superintendent appointees, as well as appointees from the various community organizations referenced above, for the purpose of making recommendations to the School Board and the Superintendent to address and close the achievement gaps in student performance for individual subgroups on state assessments in ELA, Mathematics, Social Studies, and Science, and for graduation and dropout rates. The committee will be required to meet annually and otherwise comply with the requirements of Board Policy 9140, *Citizens' Advisory Committees*.

Board Policy 2623, *Student Assessment*, is proposed for revision to include the gap analyses in the annual report to the Board and the public on school and District achievement test results.

Attached are the Notice of Intended Action and policy amendments. Changes are indicated by underscoring words to be added and ~~striking through~~ words to be deleted.

Authorization of the Board is requested for the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to amend Board Policy 2623, *Student Assessment*, and to adopt Board Policy 2624, *Achievement Gap Oversight Committee*.

RECOMMENDED:

That The School Board of Miami-Dade County, Florida, authorize the Superintendent to initiate rulemaking proceedings in accordance with the Administrative Procedure Act to adopt Board Policy 2624, *Achievement Gap Oversight Committee*, and to amend Board Policy 2623, *Student Assessment*.

NOTICE OF INTENDED ACTION

THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, announced on April 21, 2021, its intention to adopt Board Policy 2624, *Achievement Gap Oversight Committee*, and to amend Board Policy 2623, *Student Assessment*, at its regular meeting on June 23, 2021.

PURPOSE AND EFFECT: Board Policy 2624, *Achievement Gap Oversight Committee*, is proposed for adoption to establish a committee comprised of Board member and Superintendent appointees, as well as appointees from various community organizations, for the purpose of making recommendations to the School Board and the Superintendent to address and close the achievement gaps in student performance for individual subgroups on state assessments in ELA, Mathematics, Social Studies, and Science, and for graduation and dropout rates. Board Policy 2623, *Student Assessment*, is proposed to be amended to include the gap analyses in the annual report to the Board and the public on school and District achievement test results.

Board Policy 2624, *Achievement Gap Oversight Committee* is proposed for adoption to establish a committee comprised of members appointed by each School Board Member, the Superintendent, the United Teachers of Dade, Diversity Equity and Excellence Advisory Committee, Dade Council of PTA/PTSA, National Association for the Advancement of Colored People (NAACP), Urban League, Spanish American League Against Discrimination (SALAD), The Children's Trust, and related community organizations, for the purpose of making recommendations to the School Board and the Superintendent to address and close the achievement gaps in student performance for individual subgroups on state assessments in ELA, Mathematics, Social Studies, and Science, and for graduation and dropout rates. The committee will be required to meet annually and otherwise comply with the requirements of Board Policy 9140, *Citizens' Advisory Committees*.

Board Policy 2623, *Student Assessment*, is proposed to be amended to include the gap analyses referenced above in the annual report to the Board and the public on school and District achievement test results.

SUMMARY: Board Policy 2624, *Achievement Gap Oversight Committee*, is proposed for adoption to establish a committee comprised of Board member and Superintendent appointees, as well as appointees from the various community organizations, for the purpose of making recommendations to the School Board and the Superintendent to address and close the achievement gaps in student performance for individual subgroups on state assessments in ELA, Mathematics, Social Studies, and Science, and for graduation and dropout rates.

Board Policy 2623, *Student Assessment*, is proposed for amendment to include the gap analyses referenced above in the annual report to the Board and the public on school and District achievement test results.

SPECIFIC LEGAL AUTHORITY UNDER WHICH RULEMAKING IS AUTHORIZED: 1001.41 (1), (2), (3), F.S.

LAWS IMPLEMENTED INTERPRETED OR MADE SPECIFIC: 1001.43(3), (8); 1003.4282; 1003.433; 1008, *et seq.*

IF REQUESTED, A HEARING WILL BE HELD DURING SCHOOL BOARD MEETING OF June 23, 2021 which begins at 1:00 p.m., in the School Board Auditorium, 1450 N.E. Second Avenue, Miami, Florida 33132. Persons requesting such a hearing or who wish to provide information regarding the statement of estimated regulatory costs, or to provide a proposal for a lower cost regulatory alternative as provided in Section 120.54(1), F.S., must do so in writing by May 18, 2021, to the Superintendent, Room 912, at the same address.

ANY PERSON WHO DECIDES TO APPEAL THE DECISION made by the School Board of Miami-Dade County, Florida, with respect to this action will need to ensure the preparation of a verbatim record of the proceedings, including the testimony and evidence upon which the appeal is to be based. (Section 286.0105, Florida Statutes)

COPIES OF THE PROPOSED NEW AND AMENDED POLICIES are available at cost to the public for inspection and copying in the Citizen Information Center, Room 102, 1450 N.E. Second Avenue, Miami, Florida 33132.



Book	Policy Manual
Section	April 21, 2021 - <u>Initial</u> Reading
Title	STUDENT ASSESSMENT
Code	2623
Status	<u>Initial</u> Reading
Adopted	May 11, 2011
Last Revised	April 17, 2019

2623 - **STUDENT ASSESSMENT**

Student assessment shall comply with the law and State Board of Education rules to determine the progress of students and to assist them in attaining student performance objectives and the educational achievement goals of the District.

State-mandated tests (e.g., diagnostic assessments and achievement tests) shall be administered to all eligible students at the times designated by the State Board of Education. However, the regular program of study may not be interrupted to administer practice tests or engage in other test-preparation activities with the exception of the following activities to:

- A. provide individualized instruction in the content knowledge and skills assessed, without suspending the school's regular program of curriculum, for a student who scores at Level 1 or Level 2 on a prior administration of the Statewide assessment or a student who is identified as having a deficiency in the content knowledge and skills assessed; and
- B. distribute to students sample test books and answer keys that are published by the Florida Department of Education;
- C. administer a practice test or engage in other test preparation activities for the statewide assessment which are determined necessary to familiarize students with the organization of the assessment, the format of the test terms, and the test directions, or which are otherwise necessary for the valid and reliable administration of the assessment, as set forth in rules adopted by the State Board of Education.

At least annually, the staff members will assess the academic achievement and learning needs of each student. Procedures for such assessments may include, but need not be limited to, teacher observation techniques, cumulative student records, student performance data collected through standardized testing programs, and physical examinations.

The Superintendent shall develop a program of testing that may include, but not be limited to:

- A. State-mandated achievement tests;
- B. end-of-course tests at appropriate grade levels to measure achievement of performance objectives in designated courses;

C. diagnostic testing and alternative assessments.

The District and its schools shall adhere to the following applicable procedures to ensure appropriate administration, participation, and reporting of results:

- A. inform parents and the community of the District's Board-approved testing program and of the tests that are to be administered to their children by posting the testing calendar on the District's website;
- B. ensure mandatory participation by all eligible District students as defined by State Board of Education rules;
- C. provide students not enrolled full time in District schools but eligible to test within the District, as mandated in Florida statutes, with access to District testing facilities and dates and times of administration;
- D. report school and District achievement test results, including gap analyses, to the Board and public annually;
- E. provide reading and mathematics remediation services to any student based on statutory request;
- F. ensure participation of all English Language Learners in Statewide assessment programs based on State requirements with allowable accommodations; and
- G. ensure participation of all students with disabilities in the Statewide assessment program based on State requirements without accommodations unless the individual educational plan (IEP) team or the team that develops the Section 504 plan determines and documents that the student requires allowable accommodations during instruction and for participation in a Statewide assessment. The decision for a student with a significant cognitive disability to participate in the Statewide alternate assessment is made by the IEP team and recorded on the IEP. Questions to guide the decision-making process to determine how a student with disabilities will participate in the Statewide assessment program are incorporated in the IEP process. Decisions regarding permissible exemptions from statewide testing programs are recommended by the IEP team, and subject to approval by the Superintendent and/or Commissioner, as established in Florida statutes.

Appropriate and necessary action shall be taken against any employee who knowingly and willfully violates test security rules adopted by the Department of Education for any State-mandated assessment.

Classroom Evaluation of Students

Evaluation devices are to be used for assessment purposes to show each student, the parent and the students' teacher(s), what the student has mastered, where the student needs help, and how to motivate the student for continued learning.

Teachers' oral and written tests, group discussions, written work, student portfolios, checklists, and observations are ways to determine student progress within the classroom. Examinations or units shall be averaged as part of the grading period evaluation in which the examinations or unit tests are given.

The regulations for classroom examinations are:

- A. examinations should not be formally organized in the lower elementary grades.
- B. each secondary school will develop its own schedule for giving semester and/or final exams. Except under unusual circumstances, no student should be required to take more than two (2) examinations on a given day.
- C. where appropriate, examinations must include a reasonable number of questions which require an essay response.
- D. all secondary semester examination papers must be retained in the school for at least one (1) year.

E. deviations from these procedures or remission from semester examinations in a school may be authorized by the Regional Center Superintendent.

The Superintendent shall develop administrative procedures for test security and confidentiality of student results that maintains the integrity of District and State assessments. These procedures are found in the document, **Miami-Dade County Public Schools: Standards, Guidelines, and Procedures for Test Administration and Test Security.**

Effective 7/1/11
Revised 6/17/15
Revised 4/17/19

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Legal	F.S. 1002.37
	F.S. 1002.395
	F.S. 1003.4282
	F.S. 1008.212
	F.S. 1008.22
	F.S. 1008.23
	F.S. 1008.24
	F.S. 1008.25
	F.A.C. 6A-1.09422
	F.A.C. 6A-1.0943
	F.A.C. 6A-1.09430
	F.A.C. 6A-1.09431
	F.A.C. 6A-1.09432



Book	Policy Manual
Section	April 21, 2021 - <u>Initial</u> Reading
Title	ACHIEVEMENT GAP OVERSIGHT COMMITTEE
Code	2624
Status	<u>Initial</u> Reading - Recommended for Adoption at the June 23, 2021 Board Meeting

2624 - ACHIEVEMENT GAP OVERSIGHT COMMITTEE

A. Establishment

The Board shall establish the Achievement Gap Oversight Committee (AGOC), which shall be comprised of a membership as outlined below and consistent with the requirements of Policy 9140, Citizens' Advisory Committees.

B. Purpose

The purpose of the AGOC is to review District data and make recommendations to the School Board and the Superintendent on achievement gaps in student performance for individual subgroups on state assessments in ELA, Mathematics, Social Studies and Science, and for graduation and dropout rates.

C. Membership

1. Selection of Members

The Committee shall be comprised of the following nineteen (19) voting members. Appointing persons and entities may also appoint an alternate for voting members.

- a. One (1) member appointed by each of the nine (9) Board members.
- b. Two (2) members appointed by the Superintendent.
- c. One (1) member appointed by United Teachers of Dade (UTD).
- d. One (1) member appointed by the Diversity Equity and Excellence in Advisory Committee (DEEAC).
- e. One (1) member appointed by Dade County Council of PTA/PTSA.
- f. One (1) member appointed by National Association for the Advancement of Colored People (NAACP).
- g. One (1) member appointed by Urban League.
- h. One (1) member appointed by the Spanish American League Against Discrimination (SALAD)
- i. One (1) member appointed by The Children's Trust.

- j. One (1) member from a recognized community organization.

2. Member Qualifications

- a. Each voting member shall have an outstanding reputation for civic involvement, integrity, responsibility, and business or professional ability.
- b. Members should generally reflect the geographic, ethnic, racial and gender diversity of Miami-Dade County.
- c. Members shall have no direct or indirect conflict of interest in a contract with the Board or a financial interest in any projects that are funded by the Bond Program. Members are also subject to the residency and conflict of interest provisions of Policy 9140, Citizens' Advisory Committees. In addition, Board member appointments are subject to the multiple appointment restrictions in Policy 9140.

3. Term of Service

- a. The term of service for each member shall be four (4) fiscal years. The terms of community members appointed by Board members shall be consistent with the term of service of the appointing Board member. A member may be reappointed when their term is concluded. Newly elected or appointed Board members and/or the Superintendent shall have the discretion to reappoint the former Board member's or Superintendent's appointee or to appoint a new member. An incumbent member may remain on the AGOC until a new member is appointed
- b. If an alternate member is present in a member's absence, the alternate member may vote.

4. Vacancies

If a vacancy occurs, the alternate shall serve unless and until the respective Board member, Superintendent, or other member entity appoints a new member to the committee which may be the alternate.

D. Responsibilities

The responsibilities of the TRC shall be as follows:

1. To review annual student achievement data.
2. To make recommendations to the School Board and the Superintendent to address and close the achievement gaps in student performance for individual subgroups on state assessments in ELA, Mathematics, and Science, and for graduation and dropout rates.

E. Meetings

1. The AGOC shall meet annually and may hold other meetings as deemed necessary. All meetings and committee proceedings shall comply with the Sunshine and Public Records laws, F.S. Chapter 119 and 286.011.
2. Meeting date and time shall be determined by the AGOC prior to the first meeting of every fiscal year.
3. A majority, or ten (10) voting members, of the AGOC shall constitute a quorum for the AGOC to conduct business. Each member shall have one vote. Members must be physically present at the meeting to vote.
4. The AGOC shall conduct its meetings in accordance with the latest edition of Robert's Rules of Order.

5. The Committee shall elect a Chair and Vice-Chair annually and may elect other officers as necessary.
6. The Chair shall preside at all meetings. The Vice-Chair shall serve as the Chair when the Chair is unavailable and perform such other duties from time to time as may be assigned by the Chair.
7. The Chair shall prepare the regular meeting agenda in collaboration with District staff. District staff shall distribute the agenda and meeting materials in accordance with Board policy.
8. District staff, as assigned by the Superintendent, shall serve as the District liaison, provide administrative support to the AGOC, including arranging and scheduling meetings per AGOC Chair's direction, publishing and distributing meeting notices and agendas in accordance with the Board policies, establishing the agenda in collaboration with the Chair, keeping the meeting minutes, gathering relevant documentation for distribution to members, and assisting with drafting and submitting recommendations in accordance with the AGOC's purpose.
9. The office of the Board Attorney shall provide staff support to the Committee as necessary to accomplish its purpose.
10. The AGOC may adopt bylaws as it deems necessary. Any bylaws must be consistent with this policy and approved by the Board.

Legal

F.S. 1001.41 (1), (2), (3)

F.S. 1001.43 (3), (8)

F.S. 1003.4282

F.S. 1003.433

F.S. 1008, et seq.