

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 Education Pre-K - 12 Committee

BILL: CS/SB 1970

INTRODUCER: Education Pre-K Committee and Senator Detert

SUBJECT: Education/High-performing Teachers

DATE: April 8, 2010

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	deMarsh-Mathues	Matthews	ED	Fav/CS
2.	_____	_____	EA	_____
3.	_____	_____	WPSC	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill requires each school district to allocate 100 percent of the funds received for instruction for the International Baccalaureate (IB) Program, Advanced International Certificate of Education (AICE) Program, and the College Board Advanced Placement (AP) Program to the respective program or school that generated the funds. Additionally, the bill limits the expenditure of funds appropriated for these programs to educator bonuses and allowable costs associated with the programs.

The bill changes the method for calculating bonuses for IB, AICE, and AP teachers and increases from \$2,000 to \$5,000 the cap on bonuses per teacher per year for teachers in “D” and “F” schools.

Finally, the bill also adds a requirement for the Florida Partnership for Minority and Underrepresented Student Achievement to report information related to educator scholarships and participation in professional development, student participation in AP courses and outcomes, and fiscal information related to the state’s cost for AP exams and rebates provided to schools for administering these exams.

This bill substantially amends sections 1007.35 and 1011.62 of the Florida Statutes.

II. Present Situation:

Acceleration programs are intended to shorten the time it takes for a student to complete the requirements for a high school diploma and a college degree, broaden the scope of curricular

options available to students, or increase the depth of study available for a particular subject.¹ Current law provides for the availability of a variety of acceleration programs for high school and college students attending public educational institutions, including the AP, IB, and AICE programs.² The law requires the DOE to establish passing scores and course and credit equivalencies for acceleration programs.³

IB Program

The IB program provides an advanced level of high school coursework and curriculum that is internationally recognized.⁴ The program consists of a pre-university two-year course of study, leading to examinations, for students between the ages of 16 and 19.

The IB students are required to take courses in six academic areas including languages, sciences, mathematics, and social studies. The sixth subject may be an arts subject or another subject. Grades awarded for each course range from 1 (lowest) to 7 (highest).⁵ Students are recommended for college credit if they receive an exam score of four or higher.⁶

In Fiscal Year 2008-2009, IB programs were available in 30 of the state's 67 school districts, with 54 public and 8 private participating high schools.⁷ During the 2008-2009 school year, 10,206 students, or one percent of all public high school students enrolled that year, were enrolled in Florida's IB diploma programs in public high schools.

AICE Program

The AICE program is an internationally advanced secondary curriculum and assessment program that leads to college credit for high school students.⁸ Students who successfully complete six credits within 13 months in math and science, languages, and arts and humanities receive the AICE diploma. Half-credit courses are also available within the program.⁹ Passing grades on AICE exams range from "A" to "E," with "A" being the highest.¹⁰ Students are recommended for college credit if they score an "E" or higher.¹¹

During the 2008-2009 school year, 2,524 students, or less than one percent of high school students enrolled that year, were enrolled in AICE courses.¹²

¹ s. 1007.27, F.S.

² s. 1007.27(6), (8), and (9), F.S.

³ s. 1007.27, F.S. See *Articulation Coordinating Committee (ACC) Credit-by-Exam Equivalencies*, approved in 2009 by the ACC, the State Board of Education, and the Board of Governors. See <http://www.fldoe.org/articulation/pdf/acc-cbe.pdf>.

⁴ See <http://www.ibo.org/diploma/>.

⁵ *Id.*

⁶ *Articulation Coordinating Committee (ACC) Credit-by-Exam Equivalencies*, approved in 2009 by the ACC, the State Board of Education, and the Board of Governors.

⁷ *Department of Education Acceleration Programs*, Office of Program Policy Analysis and Government Accountability (OPPAGA) (last updated November 10, 2009), See <http://www.oppaga.state.fl.us/profiles/2028/>.

⁸ See <http://www.cie.org.uk/qualifications/academic/uppersec/aice>.

⁹ *Id.*

¹⁰ The grades are not based on the U.S. grading scale.

¹¹ *Articulation Coordinating Committee Credit-by-Exam Equivalencies*, approved in 2009 by the ACC, the State Board of Education, and the Board of Governors.

¹² *Department of Education Acceleration Programs*, OPPAGA (last updated November 10, 2009).

AP Program

The AP program offers college-level courses that are designed to parallel typical lower-level undergraduate courses. The program provides an opportunity to enroll in advanced courses of study and earn college credit or advanced placement credit while still enrolled in high school.¹³ Students are recommended for college credit if they receive a score of three or higher on a five-point scale on the corresponding AP exam.¹⁴

During Fiscal Year 2008-2009, there were 144,371 public high school students enrolled in at least one AP course.¹⁵ This represented approximately 19 percent of high school students enrolled that year. Students enrolled in AP courses in 430 Florida public schools. In Fiscal Year 2008-2009, 131,818 students in Florida public high schools took 233,851 AP examinations. Of the total AP exams taken, 43 percent (100,356) received a passing score of three or higher.

Bonus Funding for Student Performance for Certain Courses and Diplomas

School districts receive bonus full-time equivalents (FTE) for funding in the Florida Education Finance Program (FEFP) for student performance on IB, AICE, and AP examinations.¹⁶ School districts receive an additional 0.16 FTE for each AP examination grade of three or higher that students achieve (provided that they have been taught in an AP course in the prior year), for each IB examination grade of four or higher, and for each AICE examination grade of “E” or higher in a full credit course. Districts receive an additional 0.08 FTE for an AICE student who is enrolled in a half-credit course and who earns a score of “E” or higher on the subject exam. School districts receive an additional 0.3 FTE for every student who earns an IB diploma and an AICE diploma.

Current law requires school districts to distribute specific bonuses to classroom teachers who provide IB, AICE, and AP instruction, based on student performance:¹⁷

Acceleration Program	Student Examination Score	Classroom Teacher Bonus
IB	4 or higher	\$50/student
	4 or higher for at least 1 student in a “D” or “F” school	\$500
AICE	“E” or higher	\$50/student in a full credit course
	“E” or higher	\$25/student in a half-credit course
	“E” or higher for at least 1 student in a “D” or “F” school	\$500 in a full credit course
	E or higher for at least 1 student in a “D” or “F” school	\$250 in a half-credit course
AP ¹⁸	3 or higher	\$50/student
	3 or higher for at least 1 student in a “D” or “F” school	\$500

¹³ See <http://www.collegeboard.com/student/testing/ap/about.html>.

¹⁴ *Articulation Coordinating Committee Credit-by-Exam Equivalencies*, approved in 2009 by the ACC, the State Board of Education, and the Board of Governors.

¹⁵ *Department of Education Acceleration Programs*, OPPAGA (last updated November 10, 2009).

¹⁶ s. 1011.62(1)(m), (n), and (o), F.S.

¹⁷ *Id.*

¹⁸ The school district must allocate at least 80 percent of the funds provided to districts for AP instruction to the high school that generates the funds.

The bonuses to teachers at “D” or “F” schools must be given regardless of the number of classes taught or of the number of students scoring at the required level on the examination. The bonuses for all three programs are capped at \$2,000 per year.

The FTE bonuses in the FEFP provide more funding than is needed by a district to operate the program, pay for the exams, and provide the required teacher bonuses.¹⁹

Office of Program Policy Analysis and Government Accountability (OPPAGA)²⁰

OPPAGA reviewed the AP incentive funding and reported the following:

- The AP program is the most widely used high school acceleration program in Florida.
- While instructional costs for AP courses are similar to other high school courses, school districts incur additional costs for students who seek college credit for their AP coursework. These costs include paying for student AP exams²¹ and the teacher bonuses. However, the amount of incentive funding provided by the state greatly exceeds these required additional costs and the costs of comparable college-level courses at state universities.

The report identified two options that would reduce incentive funding for AP courses while ensuring that districts receive sufficient funding to meet required program costs. The report noted that the following options would save the state between \$25 million and \$30 million:

- Reduce AP incentive funding to the level required to cover student exam fees and the statutorily required teacher bonuses, saving more than \$30 million.
- Reduce AP incentive funding to the level to match the credit hour cost for similar courses at state universities, saving at least \$25 million.

The DOE, in response to the report, noted that several top performing AP districts use incentive funds for not only teacher bonuses and exams, but also for equipment, instructional materials and supplies for AP classes, teacher training, and teacher salaries.²²

Florida Partnership for Minority and Underrepresented Student Achievement

Designed to increase postsecondary opportunity and success for minority students and those students who are underrepresented in postsecondary education, the Florida Partnership for Minority and Underrepresented Student Achievement is a cooperative effort between the DOE and the College Board.²³ The partnership’s responsibilities include teacher training and professional development for AP and other advanced courses, college entrance exam preparation, and support for the Preliminary SAT/National Merit Scholarship Qualifying Test

¹⁹ Senate Professional Staff Analysis for CS/SB 1368, March 22, 2010. *See*

<http://www.flsenate.gov/data/session/2010/Senate/bills/analysis/pdf/2010s1368.wpsc.pdf>.

²⁰ *Modifying Advanced Placement Program Incentive Funding Could Produce Significant Cost Savings*, OPPAGA, Report No. 09-12, February 2009.

²¹ Pursuant to s. 1007.27(6),(8), and (9), F.S., students enrolled in the course are exempt from paying fees associated with the administration of IB, AICE, and AP exams.

²² *Modifying Advanced Placement Program Incentive Funding Could Produce Significant Cost Savings*, OPPAGA, Report No. 09-12, February 2009.

²³ s. 1007.35, F.S.

and the Preliminary ACT. The partnership is required to submit to the DOE an annual report that includes an evaluation of the effectiveness of services and activities.²⁴

III. Effect of Proposed Changes:

Under the bill, districts would allocate 100 percent of the FEFP funds received for IB, AICE, and AP instruction to the respective school and program that generates the funds (i.e., the IB or AICE program) or in the case of the AP program, to the respective school that generates the funds. Additionally, the bill limits the expenditure of funds allocated for these programs to educator bonuses and allowable costs associated with the programs (e.g., the costs associated with examinations, school fees, salaries and benefits for school-based program coordinators, course-related instructional materials, equipment, and supplies, programs or activities related to prospective students, and training and professional development for IB, AICE, and AP program teachers).

The bill changes the method of calculating the bonuses for IB, AICE, and AP teachers. Under the bill:

- Individual teacher bonuses would be \$50 per eligible student score or the proportionate value of 0.16 FTE (or 0.08 FTE for AICE half-credit courses), minus allowable costs for each eligible student score, whichever is greater.
- Bonuses for IB and AICE teachers in “D” or “F” schools would be \$500 per individual eligible student score.
- Bonuses for AP teachers in “D” or “F” schools would be \$500 per individual eligible student score for the first four students who attain the score.

The bill retains the \$2,000 cap on bonuses per teacher per year, except that the cap on the bonuses per teacher per year in “D” and “F” schools is \$5,000.

The meaning of the term “proportionate value” is not clear. The bill provides that if funds are insufficient to fully pay teacher bonuses, a district would prorate the bonuses.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

²⁴ The most recent evaluation was conducted by a third party, the Human Resources Research Organization (HumRRO). See *Evaluation of the College Board Florida Partnership for Minority and Underrepresented Students: Summary of Results from the Online District Survey and Longitudinal Data Analysis (Final Report)*, FR-09-58, September 11, 2009.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill increases from \$2,000 to \$5,000 the cap on the bonuses per teacher per year in “D” and “F” schools.

C. Government Sector Impact:

Districts would be required to allocate 100 percent of the FEFP funds generated by students who earn an eligible score on the AP, IB, or AICE exams, or who receive an IB or AICE diploma, to the respective school or program that generates the funds. To the extent that a district did not previously allocate the funds to the respective programs, a district will have less discretionary funds available for other purposes.²⁵

The following reflects the funding and bonuses earned for each program in 2008-2009:²⁶

	2008-2009 Weighted FTE Funding to School Districts	2008-2009 Bonuses Paid to Teachers from District Funds
AP	\$52,922,641	\$3,659,578
IB	\$13,201,924	\$1,103,043
AICE	\$ 1,906,056	\$ 47,124
TOTAL	\$68,030,621	\$4,809,745

The prohibition on allowable uses of bonus funding under the AICE and IB programs and AP courses may affect current district allocations to schools or programs.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

²⁵ DOE analysis of SB 1970, February 19, 2010, on file with the Education Pre-K – 12 Committee.

²⁶ *Id.*

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K – 12 Committee on April 6, 2010:

The committee substitute:

- Requires the Florida Partnership for Minority and Underrepresented Student Achievement's annual report to be submitted by January 15;
- Restores the \$2,000 cap on bonuses per teacher per year;
- Increases to \$5,000 the cap on the bonuses per teacher per year in "D" and "F" schools;
- Restores current law for the \$500 bonus for IB, AICE, and AP teachers in "D" and "F" schools, with the exception of the cap on the number of classes or students earning an eligible score; and
- Provides that bonuses for AP teachers in "D" or "F" schools are \$500 per individual eligible student score for the first four students who attain the score.

- B. **Amendments:**

None.