

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 7091 PCB KTS 13-03 PCB KTS 13-03 K-20 Education

SPONSOR(S): K-12 Subcommittee, Porter

TIED BILLS: **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: K-12 Subcommittee	12 Y, 0 N	Beagle	Ahearn
1) Education Appropriations Subcommittee	12 Y, 0 N, As CS	Seifert	Heflin

SUMMARY ANALYSIS

The bill creates three new standard high school diploma designations, i.e., the College and Career, Industry, and Scholar designations. The course and testing requirements vary for each designation, thereby enabling students to tailor their course of study to their post-high school graduation goals. The designations are effective for students entering 9th grade in the 2013-14 school year; however, students currently in high school may opt into a designation. The bill establishes a process for developing career education courses that enable students to simultaneously earn credit in the career course and core academic credit required for graduation. The bill requires incorporation of financial literacy into the required high school economics course and directs the Commissioner of Education to conduct a cost analysis regarding offering financial literacy as a stand-alone .5 credit course.

The bill increases emphasis on digital literacy by requiring school district student progression plans to address use of digital competency tools; requiring districts to provide digital instructional materials to students in PreK-12, including students with disabilities; and establishing three digital literacy programs enabling elementary and middle school students to demonstrate mastery of digital literacy concepts.

The bill strengthens student opportunities to earn industry certification by establishing a Postsecondary Industry Certification Funding List for postsecondary industry certification programs; authorizing funding of industry certifications that have embedded minimum age or other requirements that limit student's ability to earn full certification while in high school; and incorporating industry certifications into existing acceleration mechanisms, e.g., ACCEL options, career dual enrollment, and career early admission.

Several statutory changes made by the bill conform Florida law to the recent replacement of the Sunshine State Standards (SSS) with the Next Generation Sunshine State Standards (NGSSS) and Florida's transition to Common Core State Standards (CCSS) in mathematics and English Language Arts (ELA). The definition of SSS and NGSSS is revised to include the CCSS in mathematics and ELA.

The state board is directed to adopt an implementation schedule to transition from FCAT Reading, FCAT Writing, FCAT Mathematics, and statewide, standardized end-of-course (EOC) assessments in Algebra I and Geometry to common core assessments in mathematics and ELA. The schedule must take into consideration funding, sufficient field and baseline data, access to assessments, instructional alignment, and school district readiness to administer the common core assessments online. Until the 10th grade common core ELA and Algebra I assessments become must pass assessments, students must pass 10th grade FCAT Reading and the statewide Algebra I EOC assessment, or achieve a concordant or equivalent score in order to meet graduation requirements.

Among other changes made to statewide assessments, the bill revises the weighting of the middle school Civics EOC assessment from "must pass" to 30 percent of the course grade and requires the commissioner to adopt a concordant score on the SAT and ACT for 10th grade FCAT Reading and equivalent scores on at least one assessment for the Algebra I EOC assessment. Provisions are repealed that condition school district and Florida Virtual School receipt of funding, for students enrolled in courses with a statewide EOC assessment, upon student passage of EOC assessments.

The bill has an indeterminate fiscal impact on the Department of Education and school districts.

The bill takes effect July 1, 2013.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

High School Reform

Legislative History

The high school reform effort that began in Florida in 2006 was based upon research suggesting that states' high school curricula lacked rigor and relevance, resulting in decreased student engagement and high dropout rates. The research suggested that increasing the rigor of core graduation course requirements and strengthening career education options would better engage students. In turn, this would increase graduation rates and college and career readiness.¹ These reforms included:

- Strengthening middle school course requirements to better prepare students for 9th grade.
- Increasing the number and level of rigor of mathematics and science credits required for a standard high school diploma.
- Basing high school graduation upon proficiency and credit completion and implementing statewide, standardized end-of-course (EOC) assessments to measure proficiency in courses required for graduation.
- Strengthening career education programs and student advising practices.²

HB 7087 (2006) was the first major reform made to the high school curriculum. Among other things, HB 7087:

- Increased the number of mathematics credits required for graduation with a standard diploma from three to four, including one credit in Algebra I. School districts were directed to set goals for increasing enrollment and completion of geometry and Algebra II.
- Established middle grades course completion requirements for promotion from middle school to high school.
- Required middle school students to complete a career and education planning course resulting in an academic and career plan for the student.
- Authorized the establishment of career and professional academies providing a rigorous academic and career curriculum leading to a standard diploma and industry certification.³

The following year, the Legislature enacted CS/CS/SB 1232 (2007), which:

- Required school districts, in collaboration with local workforce boards, postsecondary institutions, and employers, to establish strategic plans for developing career and professional academy programs aligned with state and local workforce needs.⁴
- Required each school district to have at least one operational career and professional academy by the start of the 2008-09 school year.
- Provided weighted Full-Time Equivalent (FTE) student funding to school districts for each student completing an industry certification.⁵

This legislation was followed by CS/SB 1908 (2008), which:

¹ See, e.g., Southern Regional Education Board, *Using Rigor, Relevance and Relationships to Improve Student Achievement*, at 3-7 (2004), available at http://publications.sreb.org/2004/04V08_2004_Outstanding_Practices.pdf; see e.g., Southern Regional Education Board, *Raise Academic Standards and Get More Students to Complete High School: How 13 Georgia Schools Did It*, at 3 (Feb. 2004), available at http://publications.sreb.org/2004/04V01_ResearchBrie-Georgia_Schools.pdf.

² Florida High School Reform Task Force, Recommendations of the High School Reform Task Force, hearing before the House PreK-12 Committee (Feb. 7, 2006).

³ Sections 21, 23, and 27, ch. 2006-74, L.O.F.

⁴ Strategic plans were revised from five-year to three-year plans in 2012. Section 13, ch. 2012-191, L.O.F.

⁵ Sections 1 and 5, ch. 2007-216, L.O.F.

- Provided for the replacement of the Sunshine State Standards with more rigorous Next Generation Sunshine State Standards.
- Authorized the Commissioner of Education, for the first time, to develop EOC assessments for measuring student achievement of core curricula content.⁶

When the Florida Legislature enacted CS/CS/SB 4 in 2010, student performance on international assessments of mathematics and science indicated that U.S. students were losing ground to their peers in Asian and European countries.⁷ This was cited as evidence that U.S. high school students lacked the mathematics and science skills to compete effectively in a global, knowledge-based economy.⁸ Furthermore, research available at the time suggested that the mathematics and science skills necessary to succeed in college and careers were almost identical.⁹ Florida was one of several states that responded by increasing the rigor of high school mathematics and science graduation requirements.¹⁰ CS/CS/SB 4 (2010):

- Phased in more rigorous mathematics and science high school graduation credit requirements, including:
 - Geometry (beginning with entering 9th graders 2010-11).
 - Biology I (beginning with entering 9th graders 2011-12).
 - Algebra II (beginning with entering 9th graders 2012-13).
 - Chemistry or physics and an equally rigorous science course (beginning with entering 9th graders 2013-14).
- Phased in “must pass for credit” statewide, standardized EOC assessments in:
 - Algebra I (beginning with entering 9th graders 2011-12).
 - Geometry (beginning with entering 9th graders 2012-13).
 - Biology I (beginning with entering 9th graders 2012-13).¹¹

CS/CS/SB 4 (2010) significantly increased the mathematics and science credit and testing requirements for high school graduation. Every Florida public high school student must meet these requirements, whether a student is preparing for college or enlistment in the military or pursuing industry certification through a career and professional academy.

New Research

In 2010, when CS/CS/SB 4 was enacted, the U.S. economy was beginning to recover from the recession of 2007–2009.¹² However, the economic recovery has been one of the weakest on record.¹³

⁶ Section 8, ch. 2008-235, L.O.F.

⁷ See, e.g., International Association for the Evaluation of Educational Achievement, *TIMSS 2007 International Mathematics Report*, at 44-49 (Aug. 2009), available at http://timss.bc.edu/TIMSS2007/PDF/TIMSS2007_InternationalMathematicsReport.pdf. TIMSS stands for Trends in International Mathematics and Science Study. *Id.*

⁸ See, e.g., Staff of the Florida Senate, *Interim Report: Review the Effect of State High School Graduation Requirements on Student Preparation for Postsecondary Education and the Workforce*, at 2-3 (Oct. 2009), available at http://www.flsenate.gov/data/Publications/2010/Senate/reports/interim_reports/pdf/2010-112ed.pdf [hereinafter *Senate Interim Report 2009*]; see, e.g., The National Governors Association, *Accelerating the Agenda: Actions to Improve America's High Schools*, at 3-7 (2008), available at <http://www.nga.org/files/live/sites/NGA/files/pdf/0901IMPROVEHIGHSCHOOLS.PDF> [hereinafter *Accelerating the Agenda*]; The National Governors Association, *Building a Science, Technology, Engineering and Math Agenda*, at 1, 6 (2007), <http://www.nga.org/files/live/sites/NGA/files/pdf/0702INNOVATIONSTEM.PDF> [hereinafter *STEM Agenda*].

⁹ *Accelerating the Agenda*, *supra* note 8, at 7-10; *STEM Agenda*, *supra* note 10-13.

¹⁰ *Senate Interim Report*, *supra* note 8, at 3; Staff of the Florida Senate, *Legislative Bill Analysis for CS/CS/SB 4 (2010)*; see, e.g., Education Commission of the States, *High School Level STEM Initiatives 2008*, <http://mb2.ecs.org/reports/Report.aspx?id=1409> (last visited Mar. 5, 2013).

¹¹ Sections 3, 5, and 8, ch. 2010-22, L.O.F.

¹² National Bureau of Economic Research, *Business Cycling Dating Committee*, (Sept. 20, 2010), available at <http://www.nber.org/cycles/sept2010.pdf>. According to the NBER, a recession is a significant decline in economic activity spread across the economy, lasting more than a few months, normally visible in real Gross Domestic Product, real income, employment, industrial production, and wholesale-retail sales. *Id.*

¹³ Center on Budget and Policy Priorities, *The Legacy of the Great Recession*, <http://www.cbpp.org/cms/index.cfm?fa=view&id=3252> (last visited Mar. 3, 2013).

The recession and weak recovery have greatly impacted the financial health and career prospects of recent high school and college graduates. These impacts include:

- High youth unemployment rates which likely diminish the ability of high school-aged youth to obtain work-related skills and experience.¹⁴
- Median household incomes¹⁵ have declined 8.1 percent, from \$55,131 in December 2007 to \$50,678 in August 2012, which has likely diminished the ability of many parents to assist their children with higher-education costs.
- An increase in student loan debt held by Americans to \$966 billion, second only to mortgage debt held by Americans. In fact, student loan debt is the only kind of household debt that continued to rise during the great recession.¹⁶
- A post-recession three-year student loan default rate of 13.4 percent nationally, representing 489,000 out of 3.6 million borrowers.¹⁷
- A rise in the percentage of student loan borrowers under 30 who are in repayment and 90 or more days delinquent on their student loan payments from 20 percent in 2004 to 35 percent in 2012.¹⁸

Since the enactment of CS/CS/SB 4, new research has emerged questioning the one-size-fits-all, college-only focus of many states' high school graduation requirements. Research indicates that deteriorating job market conditions have led an increasing number of young people to enroll in postsecondary education. In the fall 2009 term, 70 percent of 2009 high school graduates students were enrolled in a postsecondary program.¹⁹ However, approximately four in ten Americans have earned an associate's or bachelor's degree by their mid-twenties.²⁰

Recent research also indicates that high numbers of graduates with a bachelor's degree have settled for employment outside of the college labor market, i.e., are "mal-employed."²¹ The share of mal-employed bachelor's degree holders age 20-24 increased from 45.9 percent before the recession to 56.1 percent in spring 2012. Over 40 percent of this increase occurred during the "jobs recovery period" of 2010-2012. The number of mal-employed bachelor's degree holders age 25-29 increased from 36.1

¹⁴ U.S. Bureau of Labor Statistics, *Unemployment Rate for Youth Aged 16-19 Years Old 2003-2013*, <http://data.bls.gov/cgi-bin/surveymost> (last visited Mar. 3, 2013). The unemployment rate for youth aged 16 to 19 years old is 23.4 percent, as of January 2013, a 6.6 percent increase from December 2007. This figure includes youth who are working or actively looking for work. *Id.*

¹⁵ Sentier Research, *Household Income Trends: August 2012*, at 4 (Sept. 2012), available at http://www.sentierresearch.com/reports/Sentier_Household_Income_Trends_Report_August2012_09_25_12.pdf. Overall unemployment has also remained high, peaking at 10 percent in October 2010, and has been slow to improve, with unemployment at 7.9 percent in January 2013. U.S. Bureau of Labor Statistics, *U.S. Unemployment Rate 2003-2013*, <http://data.bls.gov/timeseries/LNS14000000> (last visited Mar. 3, 2013).

¹⁶ Federal Reserve Bank of New York, *Household Debt and Credit: Student Debt*, at 5, 9 (Feb. 28, 2013), available at <http://www.newyorkfed.org/newsevents/mediadvisory/2013/Lee022813.pdf> [hereinafter *Federal Reserve Student Loan Debt*]

¹⁷ Press Release, U.S. Department of Education, *First Official Three-Year Student Loan Default Rates Published* (Sept. 28, 2012), available at <http://www.ed.gov/news/press-releases/first-official-three-year-student-loan-default-rates-published>. This rate pertains to borrowers whose loans entered repayment between October 2008 and September 2009. *Id.*

¹⁸ *Federal Reserve Student Loan Debt*, *supra* note 16, at 11-15.

¹⁹ Press Release, U.S. Bureau of Labor Statistics, *College Enrollment and Work Activity of 2009 High School Graduates* (April 27, 2010).

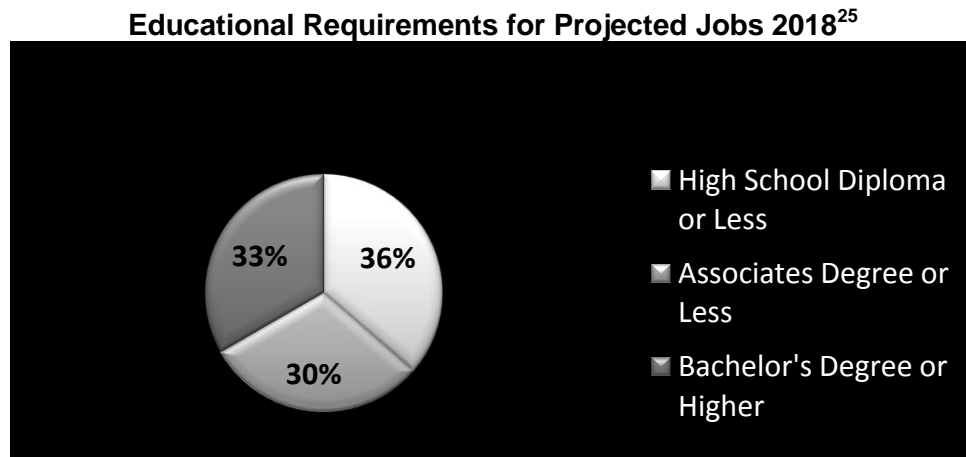
²⁰ Harvard Graduate School of Education, *Pathways to Prosperity: Meeting the Challenge of Preparing Young Americans for the 21st Century*, at 6-7 (Feb. 2011), available at http://www.gse.harvard.edu/news_events/features/2011/Pathways_to_Prosperty_Feb2011.pdf [hereinafter *Graduation Pathways*].

²¹ Drexel University, Center for Labor Markets and Policy, *The Employment and Mal-Employment Situation for College Graduates: An Update* at 7-8 (June 2012), available at

http://www.drexel.edu/provost/clmp/docs/The_Employment_Situation_of_Recent_%20College_Graduates.pdf. This is to be distinguished from individuals employed outside their degree field but in jobs typically requiring a bachelor's degree. *Id.*

percent before the recession to 43.3 percent by spring 2012. Approximately 25 percent of this increase occurred during the “jobs recovery period.”²²

Researchers predict that the U.S. economy will create 47 million new jobs over the 10 year period ending in 2018. Roughly two-thirds of these jobs will require at least some postsecondary education. Researchers predict that 14 million jobs, nearly half those filled by workers with postsecondary education, will go to individuals with an associate’s degree or workforce certificate. Furthermore, 27 percent of jobs requiring postsecondary education below the associate’s degree level pay more than the average bachelor’s degree holder earns.²³ This research does not suggest that states cease efforts to prepare students for college. Rather, it suggests that some students would be better served by multiple pathways to a high school diploma leading not only to college, but also to high-skill, high-wage, and high-demand jobs requiring less than a bachelor’s degree.²⁴



New research shows that few jobs require more than basic mathematics skills, i.e., counting, addition, subtraction, multiplication, and division. Roughly two-thirds of jobs require use of fractions, decimals, and percentages. However, only 22 percent of workers use more complex mathematics on their jobs, primarily simple Algebra. Thus, most workers do not use the types of complex mathematics required in high school.²⁶ In testimony presented to the K-12 Subcommittee, David Coleman of the College Board suggested that states focusing on student completion of specific higher-level mathematics courses as an indicator of college and career readiness may be misguided. Instead, states should focus on college and career ready math, i.e., the core mathematics skills required for most college majors and careers.²⁷

This research and testimony does not advocate lowering standards. All high school students must be exposed to a rigorous high school curriculum. Rather, rigor should be relevant to the student’s post-high school goals. The research suggests that states allow students flexibility to choose a course of study aligned to their post-high school goal. Creating a tangible, transparent connection between high school and opportunities in the job market would assist students and parents in making more informed college, career, and financial choices and draw students to the fields where jobs are available.²⁸

Other States Graduation Requirements

²² *Id.* at 9.

²³ *Graduation Pathways*, *supra* note 20, at 2-3.

²⁴ *Id.*

²⁵ *Id.* at 7.

²⁶ Handel, Michael J. *A Profile of U.S. Jobs from the Survey of Workplace Skills, Technology, and Management Practices*, at 11-12, 43 (June 20, 2010), available at http://www.northeastern.edu/socant/wp-content/uploads/STAMP_OECD2a_edit2.doc.

²⁷ David Coleman, College Board, Testimony before the House K-12 Subcommittee (Feb. 20, 2013).

²⁸ *Graduation Pathways*, *supra* note 20, at 24.

Research conducted by the Office of Program Policy Analysis and Government Accountability (OPPAGA) identifies 12 states²⁹ with mathematics and science graduation credit and testing requirements similar to Florida. OPPAGA found that:

- Nine of the 12 states require students to pass Algebra I, Geometry, and Algebra II to earn a standard diploma.
- Eleven of the 12 states require students to pass Biology I. Six of these states also require students to pass either chemistry or physics. Only one state requires students to pass all three of these courses.
- Eight of the 12 states provide an alternative standard diploma option or allow students to waive specific mathematics and science courses.³⁰

Mathematics and Science Credits Required For Graduation: Other States³¹

State	Effective Date	Math Credits Required in:			Science Credits Required in			Offers Alternative Diploma Options	Allows Course Waivers
		Algebra I	Geometry	Algebra II	Biology	Chemistry	Physics		
AL	2017	1*	1*	1*	1	0	0	No	No
AR	2014	1	1	1	1	X	X	Yes	No
HI	2016	1	1	0	1	0	0	No	No
IN	2016	1	1	1	1	X	X	Yes	No
LA	2012	1	1	1	1	1	0	Yes	No
MI	2016	1	1	1	1	X	X	No	Yes
MN	2015	#	1	1	1	X	X	No	No
NC	2016	1*	1*	1*	1	0	0	No	No
SD	2017	1	1	1	1	X	X	No	Yes
TN	2013	1	1	1	1	X	X	No	Yes
TX	2016	1	1	1	1	1	1	Yes	No
VA	2015	1	1	1	X	X	X	Yes	No
0	Not required.								
X	Choose among these options.								
#	Must complete by 8 th Grade.								
*	Allows satisfaction of requirement through an equivalent or integrated mathematics course.								

OPPAGA also found that these states use their high school assessments differently. Of the 12 states:

- Seven states require students to pass a comprehensive test or one or more EOC assessments for graduation;
- One state requires passage of an EOC assessment for course credit;
- Four states allow students a full or partial waiver of “must-pass” testing requirements;
- Four states require or plan to require that EOC assessment results be factored into the student’s course grade; and
- Two states allow local decisions regarding whether to require passage of EOC assessments for course credit or factor assessment performance into the course grade.³²

In addition, OPPAGA indicates that 23 of 50 states and the District of Columbia do not require students to pass any type of assessment to earn a standard diploma.³³

Standard High School Diploma Requirements

²⁹ Alabama, Arkansas, Hawaii, Indiana, Louisiana, Michigan, Minnesota, North Carolina, South Dakota, Tennessee, and Texas.

OPPAGA, *Research Memorandum: Twelve State’s High School Graduation Requirements*, at 1 (March 1, 2013).

³⁰ *Id.*

³¹ *Id.* at 2-4.

³² *Id.* at 8.

³³ *Id.*

Current Law

Florida public high school students have five options in obtaining a standard high school diploma -- a Traditional 4-year, 24-credit option,³⁴ the 3-year, accelerated 18-credit College Preparatory and Career Preparatory Programs,³⁵ or completion of an International Baccalaureate (IB) or Advanced International Certificate of Education (AICE) program.³⁶ The overwhelming majority of Florida's high school students pursue the Traditional 24-credit option:

**Standard High School Diplomas Awarded by Graduation Option
2011-12 School Year³⁷**

Traditional 24-Credit	Accelerated 18-Credit College Preparatory	Accelerated 18-Credit Career Preparatory	IB	AICE
143,188	50	13	2,961	13

Students entering 9th grade in the 2012-13 school who are pursuing the traditional 24-credit option must complete the following credit and assessment requirements:

Subject Area	Traditional 24-Credit Option ³⁸
English	4 credits with a major concentration in composition, reading for information, and literature. <ul style="list-style-type: none"> • Passage of 10th grade FCAT Reading. • Must take FCAT Writing.
Mathematics	4 credits, including: <ul style="list-style-type: none"> • Algebra I, Geometry, and Algebra II. • Passage of the Algebra I and Geometry EOC assessments.
Science	3 credits, two of which must have a laboratory component, including: <ul style="list-style-type: none"> • Biology I • Passage of the Biology I EOC assessment.
Social Studies	3 credits, including: <ul style="list-style-type: none"> • 1 credit in U.S. history. • 1 credit in world history. • .5 credit in economics. • .5 credit in U.S. government.
Foreign Language	None.
Fine or Performing Arts	1 credit in fine or performing arts, speech and debate, or a practical arts course comprised of artistic or creative concepts.
Physical Education	1 credit.
Electives	8 credits.

Beginning with students entering 9th grade in the 2013-14 school year, science credits must be earned in Biology I, Chemistry or Physics and an equally rigorous science course and students must take a U.S. History EOC assessment that counts as 30 percent of the course grade.³⁹

In addition to the 24 credits and required assessments, students must earn a cumulative grade point average (GPA) of 2.0 on a 4.0 scale and fulfill any additional requirements mandated by school districts.⁴⁰ All high school students are subject to these requirements, regardless of their post-high school goals.⁴¹

³⁴ Section 1003.428, F.S.

³⁵ Section 1003.429, F.S.

³⁶ Section 1003.428(1), F.S.

³⁷ Email, Florida Department of Education, Legislative Affairs Director (Feb. 18, 2013).

³⁸ Section 1003.428(2), F.S.

³⁹ *Id.*; rules 6A-1.09981(2)(a) and 6A-1.09422(2)(c), F.A.C.

⁴⁰ Section 1003.428(4)(a)-(d), F.S.

⁴¹ Section 1003.428(1), F.S.

Credits required for graduation may be earned through applied, integrated, or combined courses; however, the law does not specifically define these types of courses.⁴² Students entering 9th grade in 2011-12 and thereafter must take one course online. The law does not specify which courses.⁴³

Since 2006, Florida law has specified two sets of high school graduation requirements. Section 1003.43, F.S., was enacted in 1978 and applies to students who entered 9th grade before the 2007-08 school year, whereas s. 1003.428, F.S., applies to students entering the 9th grade in the 2007-08 school year and thereafter. Six school years have passed since entering 9th graders have been subject to s. 1003.43, F.S.⁴⁴

The accelerated 3-year, 18-credit graduation option allows a student to earn a standard diploma in three-years and 18 academic credits, rather than the traditional 4-year, 24 credit option. Students who choose this option may enroll in a college preparatory or career preparatory program.⁴⁵ Only 63 students earned a standard diploma through one of these options in the 2011-12 school year.⁴⁶

Effect of Bill

The bill establishes three standard high school diploma designations – College and Career, Industry, and Scholar designations. The designations apply to students entering 9th grade in the 2013-14 school year; however, students enrolled in high school as of the 2012-13 school year may opt into a designation. Students select their graduation designation in collaboration with their parents. School districts must notify students and parents in writing regarding the requirements for each designation, state scholarship programs, and postsecondary admissions. A designation must be selected by the end of the first semester of 9th grade. If a designation is not selected, the student will be expected to complete the College and Career designation; however, the student must be given an opportunity to choose another designation.

The Department of Education (DOE) directly, or through the school districts, must notify private schools of public school graduation requirements. Private schools are to make this information available to students and parents.

Unlike the existing one-size-fits-all graduation requirements, students may choose a graduation designation that is more closely aligned to their interests and post-high school goals. The course credit and assessment requirements vary among designations; however, all three designations:

- Lead to a standard diploma that enables the student to enroll in a Florida College System (FCS) Institution or pursue enlistment into the military;
- Require the student to earn 24 credits in specified coursework;
- Require the student to earn at least a 2.0 GPA; and
- Require the student to pass 10th grade Florida Comprehensive Assessment Test (FCAT) Reading and the Algebra I EOC assessment (or when fully implemented, Common Core English Language Arts (ELA) II and Algebra I assessments).

The course credit and assessment requirements for the three designations are:

High School Graduation Designations			
Subject Area	College and Career	Industry	Scholar
English	<ul style="list-style-type: none"> •4 credits ELA I, II, III, and IV. •Passage of 10th grade FCAT 	<ul style="list-style-type: none"> •4 credits in ELA I, II, III, and IV. •Passage of 10th grade FCAT 	<ul style="list-style-type: none"> •4 credits ELA I, II, III, and IV. •Passage of 10th grade FCAT

⁴² Section 1003.428(2), F.S.

⁴³ Section 1003.428(2)(c), F.S.

⁴⁴ Chapter 78-424, L.O.F., *initially codified at s. 232.246, F.S., redesignated in 2002 as s. 1003.43, F.S., and s. 23, ch. 2006-74, L.O.F., codified as s. 1003.428, F.S.*

⁴⁵ Section 1003.429(1)(b) and (c), F.S. For both 18-credit accelerated graduation options, the mathematics credits must include Algebra I and II and geometry; the science credits must include Biology I, chemistry or physics, and one equally rigorous course; the social sciences credits must include U.S. history, world history, and one-half credit in U.S. government and economics. *Id.*

⁴⁶ Email, Florida Department of Education, Legislative Affairs Director (Feb. 18, 2013).

	Reading. •Must take 10 th grade FCAT Writing.	Reading. •Must take 10 th grade FCAT Writing.	Reading •Must take 10 th grade FCAT Writing.
Mathematics	•4 credits which must include Algebra I and Geometry. •Passage of the Algebra I EOC. •The Geometry EOC is 30% of course grade.	•4 credits which must include Algebra I. •Passage of the Algebra I EOC.	•4 credits including Algebra I, Geometry, and Algebra II and Statistics or an equally rigorous course. •Passage of the Algebra I EOC. •The Geometry EOC is 30% of course grade and passage required.
Science	•3 credits including Biology I. •The Biology I EOC is 30% of course grade.	•3 credits including Biology I. •The Biology I EOC is 30% of course grade.	•3 credits, including Biology I and Chemistry, Physics, or an equally rigorous course •The Biology I EOC is 30% of course grade and passage is required.
Social Studies	•3 credits: 1 U.S. History, 1 World History, .5 Economics, .5 U.S. Government. •The U.S. History EOC is 30% of course grade.	•3 credits: 1 U.S. History, 1 World History, .5 Economics, .5 U.S. Government. •The U.S. History EOC is 30% of course grade.	•3 credits: 1 U.S. History, 1 World History, .5 Economics, .5 U.S. Government. •The U.S. History EOC is 30% of course grade and passage is required.
Foreign Language	None.	None.	2 credits in same language.
Fine or Performing Arts	1 credit.	1 credit.	1 credit.
Physical Education	1 credit.	1 credit.	1 credit.
Electives	8 credits which must be coordinated so that students may develop knowledge and skills in their area of interest or in career education courses leading to industry certification.	8 credits in industry-certified career education program, career-themed courses, or career education courses identified in statewide/local articulation agreements.	6 credits in coordinated electives with Liberal Arts, STEM, or career education focus. At least 1 credit must be earned in an Advanced Placement, IB, AICE, or Dual Enrollment course.

Graduation credits may be earned through equivalent, applied, integrated, or career education courses, including work-related internships. The bill defines equivalent, applied, and integrated courses as follows:

- Equivalent courses include one or more courses identified by content area experts as being a match to the core curricula content of another course.
- Applied courses include real-world applications of a career and technical education standard used in business or industry.
- Integrated courses include content from several courses within a content area or across content areas.

In addition, the bill specifically excludes driver's education as a course that may be taken to meet the online course requirement for graduation.

The law requires each school district to adopt an early graduation policy enabling high school students who complete "a minimum" of 24 credits in less than eight semesters and meet the GPA and assessment requirements the option of graduating early. The law is not clear regarding whether districts may require students to fulfill district-required graduation requirements above the state-mandated 24 credits.⁴⁷ The bill clarifies that students must be allowed early graduation upon earning the state-required 24 credits, regardless of additional district requirements.

Legislation enacted in 2006 required high school students to select a major area of interest comprised of four credits in a career, academic, or fine or performing arts content area, in order to earn a standard

⁴⁷ Section 9, 2012-191, L.O.F., codified as s. 1003.4281, F.S.

diploma.⁴⁸ Legislation enacted in 2008 created a standard diploma designation signifying the student's completion of a major.⁴⁹ Legislation enacted in 2010 repealed the major area of interest graduation requirement, but did not eliminate the diploma designation.⁵⁰ The bill repeals the obsolete designation signifying a student's major area of interest. A new designation is created signifying completion of the College and Career, Industry, and Scholar designations and whether the student had assessment requirements waived.

The bill repeals s. 1003.43, F.S., relating to the General Requirements for High School Graduation for students entering 9th grade before the 2007-08 school year. Despite repeal, these requirements will remain applicable to any students still enrolled in Florida public schools who were subject to them at the time they entered 9th grade.⁵¹

The bill repeals the accelerated 3-year, 18-credit graduation options, as these options have been historically underutilized. The bill specifies that a student who selects one of these options before July 1, 2013, may complete the program.

The law authorizes the Commissioner of Education to award a standard diploma to honorably discharged World War II and Korean War era veterans, pursuant to rules adopted by the state board in consultation with the Department of Military and Veterans Affairs.⁵² The bill repeals these provisions and creates a new section of law similarly authorizing the commissioner to award a standard diploma to any honorably discharged veteran, regardless of his or her era of service.

The bill also repeals the Florida Secondary School Redesign Act,⁵³ which specifies the guiding principles and aspirational goals for implementation of HB 7087 (2006), as the purpose of this law has been served.

Career Education Courses

Current Law

Research suggests that developing career education courses that allow students to earn credit in both the career education course and academic courses required for graduation is an important step in moving beyond one-size-fits-all high school graduation requirements. Among other things, the research recommends that states establish a process for developing such courses. Such a process should, among other things:

- Involve collaboration among public secondary schools, postsecondary institutions, and employers;
- Provide for recognition of career education courses as meeting postsecondary admissions requirements; and
- Include a determination regarding whether sufficient academic standards are covered to warrant full or partial academic credit.⁵⁴

Florida law does not specifically require the development of career education courses that allow students to earn credit in both the career education course and academic courses. DOE's *2012-13 Course Code Directory* lists several career education courses leading to industry certification that may be substituted for core academic credit; however, these substitutions apply only to students entering 9th grade before the 2011-12 school year. Thus, there are no career education courses that translate to

⁴⁸ Section 23, ch. 2006-74, L.O.F., *codified at* s. 1003.428(2)(b)1., F.S.

⁴⁹ Section 8, ch. 2008-235, L.O.F., *codified at* s. 1003.4285(1), F.S.

⁵⁰ Section 3, ch. 2010-22, L.O.F.

⁵¹ *Memorial Hospital-West Volusia, Inc. v. News-Journal Corp.*, 784 So. 2d 438 (Fla. 2001) The general rule is that in the absence of clear legislative intent to the contrary, a law affecting substantive rights, liabilities and duties is presumed to apply prospectively. *Id.*

⁵² Section 1003.428(9)-(10), F.S.

⁵³ Section 1003.413, F.S.

⁵⁴ Southern Regional Education Board, *Recognizing Academic Achievement in Career/Technical Education*, at 16-20 (2012), available at http://publications.sreb.org/2012/12V16_RecognizingAcademicCredit.pdf.

academic credit available to students who entered 9th grade in the 2011-12 school year and thereafter.⁵⁵

Effect of Bill

The bill creates a process for developing career education courses that allow students to earn credit in both the career education course and academic courses required for graduation. DOE must develop, for approval by the state board, multiple, additional career education courses, or a series of courses, that allow students to earn both career education course and academic course credit in courses required for graduation. Such courses must include workforce and digital literacy skills, practical applications of academic course content, and lead to one or more industry certifications or clearly articulated credit or advanced standing in a two-year or four-year certificate or degree program, including work-related internships or apprenticeships. The state board must determine whether academic standards are sufficiently covered to warrant the award of academic credit.

The bill also facilitates collaboration among school districts, postsecondary institutions, education consortia, local workforce boards, business, and industry in creating career education courses that lead to academic course credit. Courses developed through this collaborative process must meet the same rigorous standards as those created by DOE and be approved by the state board.

In addition, the state board must identify an industry certification or multiple certifications which demonstrate attainment of standards associated with digital composition, word processing, and presentation skills which shall satisfy at least one credit in ELA.

The Alternative Credit for High School Courses Pilot Project is an early effort to enable high school students enrolled in industry certification courses to simultaneously earn credit in Algebra, Geometry, or Biology without having to enroll in a separate course.⁵⁶ Only one high school participated in the pilot project and no eligible students sought credit through the pilot program.⁵⁷ The bill repeals this pilot project, which is no longer in existence and made unnecessary by the bill.

Industry Certification

Current Law

Industry certification refers to certification issued by an occupational or industry group to signal completion of particular training, coursework, apprenticeship, or other preparation for a particular job or job category. Many jobs require some form of industry certification as a prerequisite to hiring, and licensure is often based on industry developed assessments. Florida public middle and high school students may earn industry certifications through a career and professional academy (academy)⁵⁸ or career themed courses.⁵⁹ School boards are required to develop a three-year strategic plan in partnership with regional workforce boards, economic development agencies, and state-approved postsecondary institutions to better align academy programs with local workforce needs.⁶⁰

⁵⁵ Florida Department of Education, *2012-13 Course Code Directory and Personnel Assignments*, at 40-41 (July 2012), available at <http://www.fldoe.org/articulation/CCD/files/CCDNarrative1213.pdf>.

⁵⁶ Section 1, ch. 2008-174, L.O.F., *codified at* s. 1002.375, F.S. In order to earn such credit, students were required to pass an EOC assessment. The legislation required the commissioner to select up to three school districts to participate in the pilot project, beginning in the 2008-09 school year, and authorized DOE to approve eligible courses and EOC assessments. Section 1002.375(1), (2), and (4), F.S.

⁵⁷ Florida Department of Education, *Legislative Bill Analysis for HB 4185* (2011).

⁵⁸ A career and professional academy is a career and technical education program in a public secondary school that leads to high school credit, a high school diploma, industry certification, and opportunities for students to simultaneously earn postsecondary credit. Each school board is required to operate at least one high school academy and have a plan to implement at least one middle school academy. Sections 1003.493(1) and 1003.4935(1), F.S.

⁵⁹ Section 1003.493(1), F.S. Career-themed course are courses or a course series that leads to an industry certification. These courses may be offered by any school, even if the school is not a career academy. Sections 1003.493(1)(b), F.S.

⁶⁰ Section 1003.491(3), F.S. The strategic plan must, among other things, include strategies for developing career academies based upon identification of high-skill, high-wage, high-demand careers; and ensure that career academy courses are academically rigorous,

School districts receive weighted FTE funding for students attaining the highest level of industry certification through an academy or career-themed courses. A value of 0.1, 0.2, or 0.3 FTE is calculated for such students.⁶¹ DOE determines the FTE value for each certification, 50 percent of which is based on rigor and the remaining 50 percent on employment value. Districts receive this funding when the student is promoted to 9th grade or earns a standard diploma.⁶² Such funding is capped at \$15 million annually, unless otherwise specified in the General Appropriations Act.⁶³

The law requires the state board, in collaboration with Workforce Florida, Inc., to adopt rules establishing an industry certification process. Industry certifications must be defined by the Department of Economic Opportunity (DEO), based upon the highest available national standards for specific industry certifications to ensure student skill proficiency and address emerging labor market and industry trends. Through this process, industry certifications are identified, compiled, and weighted for funding purposes and the final Industry Certification Funding List is annually adopted by the state board.⁶⁴

Each academy or career themed course must include at least one partnership with postsecondary institutions, business, industry, employers or economic development organizations. Partnerships with postsecondary institutions must delineate in articulation agreements academy and career-themed courses that articulate to postsecondary credit.⁶⁵ Industry certifications that articulate for postsecondary credit are called Gold Standard Career Pathways Industry Certifications. The Gold Standard list is a subset of the Industry Certification Funding List. Each Gold Standard certification is adopted as a statewide articulation agreement, after FCS administrators, program deans, and faculty agree that the certification articulates for college credit in an Associate of Science or Associate of Applied Science degree program. There are currently 116 Gold Standard certifications on the list.⁶⁶ However, the law does not specifically require adoption of a postsecondary industry certification list.

Effect of Bill

The bill eliminates the three weight system for funding industry certifications and replaces it with a two weight system. Under the bill, industry certifications that do not articulate to college credit are valued at 0.1 FTE and those articulating to college credit are valued at 0.2 FTE. The bill caps the amount of weighted FTE funding a student may generate at 0.3 FTE. The bill increases the cap on total statewide annual weighted FTE funding for industry certifications from \$15 million to \$60 million.

Criteria for determining an industry certification's weighting value based upon rigor and employment value are eliminated, as are provisions conditioning district receipt of funding upon the student's promotion to 9th grade or receipt of a standard diploma. The bill provides that the FY 2013-14 FTE membership calculation must include FTE for any student who earned industry certification in FYs 2009-10, 2010-11, and 2011-12, who was not previously funded and was enrolled in FY 2012-13. This

meet or exceed appropriate state-adopted subject area standards, result in attainment of industry certification, and when appropriate, result in postsecondary credit. *Id.*

⁶¹ Section 1011.62(1)(o)1., F.S.

⁶² Section 1011.62(1)(o)1., F.S. Rigor is based on the number of instructional hours, including work experience hours, required to earn the certification, with a bonus for industry certifications that have a statewide articulation agreement for college credit approved by the state board. Employment value is based on the entry wage, growth rate in employment for each occupational category, and average annual openings for the primary occupation linked to the industry certification. *Id.*

⁶³ Section 1011.62(1)(o)3., F.S.

⁶⁴ Section 1003.492(2), F.S.; rule 6A-6.0573(3)-(5), F.A.C. Regional workforce boards and school principals may apply to Workforce Florida, Inc., to request additions to the approved list of industry certifications based on high-skill, high-wage, and high-demand job requirements in the regional economy. *Id.* The preliminary Industry Certification Funding List for 2013-14 contains industry certifications in numerous areas, including automotive repair, medical lab technician, nursing, welding, pipefitting, and various Microsoft, Adobe, and Cisco software applications. *See* Florida Department of Education, *Florida Career and Professional Education Act*, <http://www.fldoe.org/workforce/fcpea/default.asp> (last visited March 9, 2013).

⁶⁵ Section 1003.493(4)(b), F.S.

⁶⁶ *See* ss. 1003.491, 1003.492, 1003.493, and 1007.23, F.S. (statewide articulation agreement); rule 6A-6.0573(5), F.A.C.; *see* Florida Department of Education, *Statewide Articulation Agreements – Industry Certification*, http://www.fldoe.org/workforce/dwdframe/artic_indcert2aas.asp (last visited March 9, 2013).

allows districts to receive funding for middle and high school students who earned industry certifications but had not progressed to 9th grade or graduated.

Contingent upon funding for industry certifications earned in the 2013-14 school year and thereafter, the bill establishes bonuses for teachers of industry certification courses whose students earn industry certifications. The bonus amounts are \$25 for students earning 0.1 FTE weighted certifications and \$50 for those earning 0.2 FTE weighted certifications. The maximum bonus such teachers may earn is \$2,000.

The bill creates a Postsecondary Industry Certification Funding List for postsecondary industry certification programs and requires the state board to annually adopt the list. The bill directs the Chancellors of the State University System, FCS, and Career and Adult Education to work with local workforce boards, postsecondary institutions, and businesses to identify, create, and recommend industry certifications to the state board. The Chancellors must consider the DEO's economic security report and other information regarding certification needs in making such recommendations.

In addition, the bill allows funding for industry certifications that have minimum age, grade-level, diploma or degree, postgraduation work experience, or other requirements that make it impossible for the student to obtain full certification while in a public secondary school program. The Commissioner of Education must differentiate the content, instructional, and assessment requirements for such industry certifications in determining funding. This will allow students to work toward these certification while in high school, without having to fulfill all requirements before graduation.

The bill also authorizes district school boards to appoint a governing board for a school district technical center or a system of technical centers, consisting of school board members (or their designees) and leaders of the local business community, to design and implement partnerships for industry certifications tailored to the needs of the local economy.

Acceleration and Advanced Courses

Current Law

Academically Challenging Curriculum to Enhance Learning (ACCEL) options provide academically challenging curriculum or accelerated instruction to eligible public school students in kindergarten through grade 12. At minimum, public schools must offer whole grade and midyear promotion, subject-matter acceleration, virtual instruction in higher grade level subjects, and the credit acceleration program (CAP). ACCEL options may include, without limitation, enriched science, technology, engineering, and mathematics (STEM) coursework; enrichment programs; flexible grouping; advanced academic courses; combined classes; self-paced instruction; curriculum compacting; advanced-content instruction; and telescoping curriculum.⁶⁷

Career dual enrollment is a curricular option which enables secondary students to earn a series of elective credits toward the high school diploma. Students using this option must be seeking a degree or certificate from a complete career-preparatory program and it may not be used to enroll students in isolated career courses.⁶⁸

Career early admission is a form of career dual enrollment which enables secondary students to enroll full time in a career center or a FCS institution in courses that are creditable toward the high school

⁶⁷ Section 1002.3105(1), F.S.

⁶⁸ Section 1007.271(7), F.S.

diploma and a certificate or associate degree. Students must have completed a minimum of 6 semesters of full-time secondary enrollment before participating in career early admission.⁶⁹

Currently, an Advanced Placement (AP) teacher may earn a \$50 bonus for each of his or her students who scores 3 or higher on the College Board AP examination. An AP teacher in a “D” or “F” school who has at least one student scoring 3 or higher on the College Board AP examination receives an additional \$500 bonus. Bonuses earned by AP teachers may not exceed \$2,000 per fiscal year.⁷⁰

The CAP enables students to earn high school credit in courses tested by a statewide, standardized EOC assessment without enrolling in the course.⁷¹ The law defines a “credit” as 135 hours of bona fide instruction in a designated course. Although it is generally understood that the definition does not apply to students earning credit through CAP, the law does not specifically state an exception.⁷²

Effect of Bill

The bill adds rigorous industry certifications and work-related internships or apprenticeships to the list of ACCEL options. The bill adds provisions specifying that career dual enrollment and career early admission are programs in which secondary students are enrolled in postsecondary programs leading to industry certifications. The bill also specifies that career early admission enables secondary students to enroll in postsecondary *programs* leading to industry certification, rather than individual courses. In addition, the bill reduces from 6 to 4 the number of semesters of secondary enrollment a student must complete before participating in career early admission, thereby enabling students to take advantage of this opportunity earlier in their high school careers.

The bill increases from \$2,000 to \$3,000 the maximum allowable bonus an AP teacher may earn if:

- At least 50% of the teacher’s students earn a score of 3 or higher on the examination in a school graded “A,” “B,” or “C,” or
- At least 25% of the teacher’s students earn a score of 3 or higher on the examination in a school graded “D” or “F.”

The bill adds provisions listing the specific courses in which credit may be earned through CAP, e.g., Algebra I, Algebra II, Geometry, U.S. History, and Biology. The definition of credit is also revised to clarify its inapplicability to students earning credit through CAP.

Digital Literacy

Current Law

Digital literacy skills are essential to students’ academic and career success. Digital literacy skills students need include basic computer operation and maintenance, cyber-safety, test taking, internet research, email protocol, keyboarding and word processing, computer presentation skills, and use of graphics and spreadsheets.⁷³ All statewide, standardized EOC assessments are administered online and online administration is anticipated for common core assessments, once implemented. Many digital literacy skills will be integrated into common core assessments, such as keyboarding skills, creating and analyzing charts and graphs, and internet research.⁷⁴ Among other things, research suggests that states integrate digital literacy across all levels of education and into standards, assessments, and

⁶⁹ Section 1007.271(11), F.S.

⁷⁰ Section 1011.62(1)(n), F.S.

⁷¹ Section 1003.4295(3), F.S.

⁷² Section 1003.436(1)(a), F.S.

⁷³ See, e.g. DigitalLiteracy.gov, *Educator Tools*, <http://www.digitalliteracy.gov/content/educator> (last visited March 8, 2013).

⁷⁴ Learning.com, *Achieving Common Core Assessment Success: Why Digital Literacy Matters*, at 2 (2013), available at <http://www.learning.com/digital-literacy/pdf/why-digital-literacy-matters.pdf>; Partnership for Assessment of Readiness for College and Careers, *Item and Task Prototypes*, <http://www.parcconline.org/samples/item-task-prototypes#4> (last visited March 8, 2013).

educator professional development and partner with the business community to provide learning opportunities for educators and students.⁷⁵

Florida law authorizes, but does not require, school districts to develop and implement a digital curriculum for students in grades 6 through 12. Digital curricula may include various skills related to web communications and web design. The law encourages districts to seek partnerships with private businesses or consultants for providing instruction to students and professional development to teachers.⁷⁶

Effect of Bill

The bill increases emphasis on digital literacy by adding provisions requiring each school district's comprehensive student progression plan to include instructional sequences enabling students in kindergarten through high school to attain progressively higher levels of skill in the use of digital competency tools and applications.

The bill eliminates provisions related to the optional digital curricula for grades 6 through 12 and instead requires school districts to provide digital instructional materials to all students in prekindergarten through grade 12, including students with disabilities. Such materials may be integrated into subject area curricula, provided as a separate course, or made available through open-access options, online, or digital computer applications. In addition, the bill establishes three new digital literacy programs:

- The Florida Cyber Security Recognition program will provide instruction to elementary students regarding computer processing operations and cyber-safe practices.
- The Florida Digital Arts Recognition program will provide instruction to elementary students regarding technology and the arts; and
- The Florida Digital Tools Certificate program will provide instruction to middle school students regarding skills necessary to school and work success, such as word processing; email protocol; spreadsheets; and presentations, including sound, text, and graphic presentations.

DOE must contract with one or more technology companies with DOE-approved industry certifications to create these programs. The programs must provide teachers with open access materials for teaching and assessing digital skills and be provided at no cost to school districts. Creation of the programs is contingent upon funding. School districts must notify school advisory councils regarding the Florida Digital Tools Certificate program.

The bill provides for the award of a Florida Digital Learning Certificate of Achievement to public elementary schools in which 75 percent of the students attain either the Florida Cyber Security Recognition or Florida Digital Arts Recognition. Such schools will be awarded the certificate by the commissioner.

The bill states that the Legislature intends that no later than July 1, 2018, 75 percent of public middle school students will be earning the Florida Digital Tools Certificate. Contingent on appropriations, the bill provides bonus funding to middle schools whose students earn the Florida Digital Tools Certificate. Such schools may earn bonuses amounting to \$50 per student with a minimum award of \$1,000 and a maximum of \$15,000 per middle school.

Career and Education Planning

Current Law

Public middle school students must complete a career and education planning course which results in completion of an academic and career plan for the student. Among other things, this course must

⁷⁵ Partnership for 21st Century Skills, *21st Century Skills, Education & Competitiveness: A Resource and Policy Guide*, at 15 (2008), available at [http://www.p21.org/documents/21st century skills education and competitiveness guide.pdf](http://www.p21.org/documents/21st%20century%20skills%20education%20and%20competitiveness%20guide.pdf).

⁷⁶ Section 1003.4203(1)

emphasize technology or the application of technology in career fields and, beginning in the 2014-15 school year, must include information from the DEO's economic security report. In the process of completing the academic and career plan, students must be informed of high school graduation requirements; high school assessment and college entrance test requirements; Florida Bright Futures Scholarship Program requirements; state university and FCS institution admission requirements; and programs through which a high school student can earn college credit, including AP, IB, AICE, dual enrollment, career academy and career-themed course opportunities, and courses that lead to national industry certification.⁷⁷

Effect of Bill

The bill adds requirements that the career and education planning course be internet-based and emphasize entrepreneurship skills. In addition, each student's academic and career plan must include a detailed explanation of the newly created high school graduation designations.

The bill adds provisions related to career and education planning to the mission statement of Florida's K-20 education system. These provisions set a goal that students be better prepared for the transition from school to postsecondary education or work by providing information regarding:

- Career opportunities, educational requirements associated with each career, educational institutions that prepare students to enter each career, and student financial aid available to pursue postsecondary instruction required to enter that career.
- How to make informed decisions about the program of study that best addresses the student's interests and abilities while preparing them to enter postsecondary education or the workforce.
- Recommended coursework and programs that prepare students for success in their areas of interest and ability.

This information must be provided to students and parents through a variety of media.

Statewide Standards and Assessments

Current Law

Legislation enacted in 2008 provided for the replacement of the Sunshine State Standards (SSS) with more rigorous Next Generation Sunshine State Standards (NGSSS).⁷⁸ Among other things, the legislation directed the Commissioner of Education to establish an expedited schedule for this transition, to be completed by December 1, 2011. The transition from the SSS to the NGSSS was completed in December 2010. The NGSSS establish the core curricular content for ELA, Science, Mathematics, Social Studies, Visual and Performing Arts, Physical Education, and Foreign Languages.⁷⁹

The statewide assessment program measures student mastery of the NGSSS.⁸⁰ The statewide assessment program for public schools includes the Florida Comprehensive Assessment Test 2.0 (FCAT) and statewide, standardized EOC assessments.⁸¹ FCAT assesses reading (grades 3-10), mathematics (grades 3-8), science (grades 5 and 8), and writing (grades 4, 8, and 10).⁸² Florida transitioned to FCAT 2.0 assessments aligned to the more rigorous NGSSS in reading and mathematics in the 2010-11 school year.⁸³ Administration of high school FCAT Mathematics was discontinued for students entering 9th grade in the 2010-11 school year and thereafter.⁸⁴

⁷⁷ Section 1003.4156(1)(a)5., F.S.

⁷⁸ Section 8, ch. 2008.235, L.O.F.

⁷⁹ Section 1003.41(1)-(2), F.S.; *see, e.g.*, Florida Department of Education, *Next Generation Sunshine State Standards*, <http://www.fldoe.org/bii/curriculum/sss/> (last visited March 10, 2013).

⁸⁰ Section 1008.22(1)(a), F.S.

⁸¹ Section 1008.22(3)(c)1. and 2., F.S.

⁸² Section 1008.22(3)(c)1., F.S.

⁸³ Florida Department of Education, *2011 FCAT 2.0 Fact Sheet*, at 1 (Feb. 2011), available at <http://fcats.fldoe.org/fcat2/pdf/ffs2.pdf>.

⁸⁴ Section 1008.22(3)(c)2.a.

EOC assessments for high school students currently include Algebra I, Biology I, and Geometry. Implementation of these EOC assessments was phased in over three years. Each EOC assessment was field tested the first year and baseline tested the second year with the assessment counting 30 percent of the student's course grade. Passage of the assessment is required to earn course credit in the third year and thereafter.⁸⁵ Students entering 9th grade in 2011-12 were the first cohort required to pass the Algebra I EOC assessment to earn course credit. The Biology I and Geometry EOC assessments counted as 30 percent of the course grade for these students.⁸⁶ Student achievement data for the 2011-12 administration of 10th grade FCAT Reading and the Algebra I, Biology I, and Geometry EOC assessments indicates that:

- Approximately 50 percent of 10th graders did not pass grade 10 FCAT Reading.
- Forty-two percent of students failed the Algebra I EOC.
- Based on recently adopted cut scores, retroactively applied to students who took the Biology I and Geometry EOC assessments in the 2011-12 school year:
 - Forty-one percent would have failed the Biology I EOC assessment were it “must-pass.”
 - Forty-five percent would have failed the Geometry EOC assessment were it “must-pass.”⁸⁷

Students entering 9th grade in the 2012-13 school year are the first cohort that is required to pass all three high school EOC assessments to earn credit required for graduation, in addition to passing 10th grade FCAT Reading.⁸⁸

Contingent upon funding, the Commissioner of Education is also required to establish an implementation schedule for the development and administration of additional statewide, standardized EOC assessments in English/Language Arts II, Algebra II, Chemistry, Physics, Earth/Space Science, United States History, and World History.⁸⁹ Currently, the DOE is developing an EOC assessment in U.S. History.⁹⁰ The U.S. History EOC assessment will be field tested in the 2012-13 school year and will count as 30 percent of the course grade in the 2013-14 school year and thereafter.⁹¹ In addition, beginning in the 2014-15 school year, middle school students must pass a Civics EOC assessment to be promoted to high school.⁹²

Florida law establishes the Florida School Grading System to measure the performance of Florida's public schools. Subject to certain exceptions, each public school is assigned an “A” through “F” letter grade.⁹³ The statewide assessments used to determine a school's grade are FCAT Reading, Writing, Mathematics, and Science; the Algebra I EOC assessment (beginning 2011-12); the Geometry and Biology I EOC assessments (beginning 2012-13); and the middle school Civics EOC assessment (beginning 2014-15). Use of these assessments for calculating school grades is aligned with the year in which passage of the EOC assessment is required to earn credit in the course.⁹⁴

Transition to Common Core State Standards and Assessments

Florida is one of 45 states and the District of Columbia that has adopted Common Core State Standards (CCSS) in kindergarten through grade 12 Mathematics and ELA. The CCSS is a state driven

⁸⁵ Section 1008.22(3)(c)2.a., F.S.

⁸⁶ Section 1008.22(3)(c)2.a.

⁸⁷ Florida House of Representatives, *K-12 Subcommittee Meeting Packet* (Feb. 7, 2013).

⁸⁸ Section 1008.22(3)(c)2.a., F.S.

⁸⁹ Section 1008.22(3)(c)2.d., F.S.

⁹⁰ Rule 6A-1.09422(3)(e), F.A.C.

⁹¹ Rules 6A-1.09981(2)(a) and 6A-1.09422(2)(c), F.A.C.

⁹² Section 1008.22(3)(c)b., F.S.

⁹³ Section 1008.34(2), F.S. School letter grades are defined as follows: “A,” schools making excellent progress; “B,” schools making above average progress; “C,” schools making satisfactory progress; “D,” schools making less than satisfactory progress; and “F,” schools failing to make adequate progress. *Id.* An alternative school may choose to receive a school improvement rating instead of a school grade. Section 1008.34(3)(a)2., F.S.

⁹⁴ Section 1008.34(3)(b)1. and (c)1., F.S.

initiative led by the Council of Chief State School Officers (CSO) and the National Governors Association (NGA).⁹⁵

The State Board of Education adopted the CCSS in 2010. The CCSS emphasize emphasize the skills necessary for college and career readiness, including digital literacy skills. The CCSS in ELA are based upon the National Assessment of Educational Progress’s reading frameworks and emphasize analysis, critical thinking, problem solving, persuasive writing, and other skills necessary for college and career readiness. The CCSS in ELA also include standards for reading and writing in the social sciences, science, and technical subjects. The CCSS in mathematics more narrowly focus content covered from grade to grade to help students acquire deeper understanding of the fundamentals. This builds a foundation which prepares students for more challenging mathematics content.⁹⁶

DOE’s CCSS implementation timeline is as follows:⁹⁷

Implementation of Common Core Standards and Assessments

2010-11	<ul style="list-style-type: none"> • CCSS adopted by the state board. • Florida joined the Partnership for Assessment of Readiness for College and Career (PARCC) to develop CCSS assessments.
2011-12	<ul style="list-style-type: none"> • CCSS implemented in kindergarten classrooms.
2012-13	<ul style="list-style-type: none"> • CCSS implemented in kindergarten and 1st grade classrooms. • PARCC test items pilot tested; research and development ongoing.
2013-14	<ul style="list-style-type: none"> • CCSS implemented in kindergarten, 1st, and 2nd grades. • Full implementation of CCSS for literacy in content areas. • Blended implementation of NGSSS and CCSS in grades 3 through 12. • Field testing of PARCC test items; research and development ongoing.
2014-15	<ul style="list-style-type: none"> • Full implementation of CCSS. • First statewide administration of PARCC assessments in kindergarten through grade 12.

Educator professional development and alignment of instructional materials to CCSS began in summer of 2011-12 and is ongoing.⁹⁸

In 2010, Florida joined the Partnership for Assessment of Readiness for College and Career (PARCC), a consortium of 22 states that was awarded a \$186 million Race to the Top grant to develop CCSS assessments. The depth of knowledge (DOK) classifications commonly used to measure the complexity of tasks assessed on existing state assessments are:

- DOK 1: Recall a fact, term, concept, or procedure; basic comprehension.
- DOK 2: Application of concepts and procedures involving some mental processing.
- DOK 3: Applications requiring abstract thinking, reasoning, and more complex inferences.
- DOK 4: Extended analysis or investigation that requires synthesis and analysis across multiple contexts and non-routine applications.

PARCC assessments will assess deeper knowledge than existing statewide assessments with significantly more test items at DOK levels 3 and 4.⁹⁹ According to one leading proponent of the CCSS,

⁹⁵ Common Core State Standards Initiative, *Frequently Asked Questions*, <http://www.corestandards.org/resources/frequently-asked-questions> (last visited March 9, 2013).

⁹⁶ Common Core State Standards Initiative, *Resources*, <http://www.corestandards.org/resources> (last visited March 9, 2013)(see “Myths vs. Facts” and “Key Points” in ELA and mathematics).

⁹⁷ Florida Department of Education, *Common Core State Standards Assessments*, hearing before the House K-12 Subcommittee (Dec. 4, 2012).

⁹⁸ Florida Department of Education, *Florida’s Common Core Standards and Assessments Implementation Timeline*, at 5 (2013), available at <http://www.fldoe.org/parcc/pdf/ImplementationTimeline.pdf>.

“given the current state of student readiness and school capacity, virtually no state is in a position to insist in the next year or even in the next few years that all students hit the college and career ready level of performance on these tests to earn a high school diploma.”¹⁰⁰

Statutory provisions regarding the NGSSS and statewide assessment programs do not currently reflect the Florida’s adoption of the CCSS in mathematics and ELA or the pending transition from statewide assessments in reading, writing, and mathematics to common core assessments.

Effect of Bill

Next Generation Sunshine State Standards

The bill substantially rewrites the provisions regarding establishment of the SSS and NGSSS, maintaining all requirements but eliminating duplicative language and outdated standards adoption deadlines relating to the transition from the SSS to the NGSSS. The statutory definition of the NGSSS is revised to include the adoption of CCSS in mathematics and ELA. Reference to the SSS is deleted from the definition. In addition, the bill directs the Division of Law Revision and Information to change the term “Sunshine State Standards” to “Next Generation Sunshine State Standards” wherever it appears in the statutes.

Currently, the NGSSS in mathematics must establish discrete curricular content for, among other things, financial literacy.¹⁰¹ Instead, the bill requires incorporation of financial literacy in economics standards and in the .5 credit high school economics course required for high school graduation. The bill defines financial literacy as the knowledge, understanding, skills, behaviors, attitudes, and values that will enable a student to make responsible and effective financial decisions on a daily basis. The course must include information regarding earning income; buying goods and services; saving and financial investing; taxes; the use of credit and credit cards; budgeting and debt management, including student loans and secured loans; banking and financial services; planning for one’s financial future, including higher education and career planning; credit reports and scores; and fraud and identity theft prevention.

Financial literacy instruction must be an integral part of instruction throughout the entire economics course, thereby increasing the likelihood that financial literacy concepts will not receive token treatment. In addition, the bill directs the Commissioner of Education to prepare a cost analysis regarding requiring financial literacy as a separate, .5 credit course, including estimated costs for instructional personnel, training, and the development or purchase of instructional materials. The cost analysis must be provided to the President of the Senate and the Speaker of the House of Representatives no later than October 1, 2013.

Statewide Assessments

The bill revises provisions relating to FCAT and statewide, standardized EOC assessments to conform the weighting of the Algebra I, Geometry, and Biology I EOC assessments to the respective testing requirements of the newly created high school graduation designations. All students must pass 10th grade FCAT reading and the Algebra I EOC assessment to earn a standard diploma regardless of the designation they select. Students selecting the Scholar designation must pass additional EOC assessments to earn the designation. However, passage of EOC assessments will no longer be connected to the award of high school course credit.

⁹⁹ National Center for Research on Evaluations, Standards, and Testing, *On the Road to Assessing Deeper Learning: The Status of Smarter Balanced and PARCC Assessment Consortia*, at 5, 16-17 (Jan. 2013), available at <http://www.cse.ucla.edu/products/reports/R823.pdf>; Partnership for Assessment of Readiness for College and Careers, *Item and Task Prototypes*, <http://www.parcconline.org/samples/item-task-prototypes#4> (last visited March 3, 2013).

¹⁰⁰ Achieve, Inc., *Closing the Expectations Gap 2012: 50-State Progress Report on the Alignment of K-12 Policies with the Demands of College and Careers*, at 31 (Sept. 2012), available at <http://www.achieve.org/files/Achieve201250StateReport.pdf>.

¹⁰¹ Section 1003.41(1)(a)3., F.S.

In provisions authorizing the commissioner to develop additional EOC assessments, the bill removes specific reference to ELA, mathematics, science, and social studies subject areas and specifies that any additional EOC assessments adopted by the state board will constitute 30 percent of the student's course grade. The bill also revises the weighting of the middle school Civics EOC assessment from "must pass" to 30 percent of the course grade. Such students will still be required to pass the Civics course for promotion to high school.

Currently, the commissioner is authorized, but not required, to adopt concordant scores on the SAT and ACT and other assessments which students may use to meet graduation requirements in lieu of a passing score on 10th grade FCAT Reading. Similar discretionary authority is provided regarding adoption of equivalent scores for statewide, standardized EOC assessments.¹⁰²

This bill requires the commissioner to adopt a concordant score on the SAT and ACT for 10th grade FCAT Reading and equivalent scores on at least one assessment for the Algebra I EOC assessment. The commissioner may identify equivalent scores for other statewide, standardized EOC assessments. If content and scoring procedures change for 10th grade FCAT reading or the Algebra I, Geometry, or Biology I EOCs, new concordant or equivalent scores must be adopted. If such scores are not timely adopted, then the score last adopted remains in effect until the new score is adopted. The commissioner must report proposed cut scores to the President of the Senate and Speaker of the House of Representatives 90 days before submission to the state board if revision of a statewide assessment requires modification of performance level scores.

In substantially rewriting s. 1008.22, F.S., relating to the Statewide Assessment Program, several changes remove superfluous language and deadlines, consolidate related provisions that are currently scattered about the statutes, and organize content under clearly labeled catch-lines. This includes the bill's consolidation of provisions relating to the assessment of students with disabilities, which are taken from existing statutes and state board rules. The bill specifically requires the Florida Alternate Assessment to be administered no earlier than the week of March 1. The bill also repeals duplicative requirements related to school district testing programs, which were supplanted by the 2011 enactment of the Student Success Act.

Remediation

Currently, middle and high school students scoring Level 1 on FCAT Reading must receive remediation through an intensive remediation course.¹⁰³ The bill allows remediation of these students through either an intensive remediation course or a content area course. This change provides more flexibility regarding the remediation of these students. In addition, the bill requires remediation for students scoring Level 1 or Level 2 on the Algebra I EOC assessment.

Currently, students who are retained in 3rd grade on the basis of scoring Level 1 on 3rd grade FCAT Reading must be provided, among other things, a minimum of 90 minutes of research-based reading instruction daily.¹⁰⁴ The bill allows this instruction to be broken into smaller increments of not less than 20 minutes at a time.

In addition, the bill eliminates:

- Requirements regarding school district review of progress monitoring plans for students who score Level 1 on FCAT Reading, as such review occurs at the school level;
- Statutory references to reading programs that no longer exist and are obsolete due to elimination of federal Reading First funding, e.g., supplemental tutoring, Read at Home, READ initiative, Families Building Better Readers Workshops;¹⁰⁵ and

¹⁰² Section 1008.22(10) and (11), F.S.

¹⁰³ Sections 1003.4156(1)(b) and 1003.428(2)(b)1., F.S.

¹⁰⁴ Section 1008.25(7)(b)2., F.S.

¹⁰⁵ See Telephone interview with Deputy Director, Just Read, Florida! (Feb. 1, 2013).

- Redundant reporting requirements, e.g., school district reporting to DOE related to weekly progress monitoring and Intensive Acceleration classes for 3rd graders, as DOE is not required to do anything with this information.

The law currently requires school districts to publish in a local newspaper, among other things, the number and percentage of students in 3rd through 10th grade performing at Level 1 or 2 on FCAT Reading, students who are retained, and students who are promoted based upon a good cause exemption.¹⁰⁶ The bill eliminates the newspaper publication requirement and instead requires this information to be published on the school district's website.

Performance Funding

Legislation enacted in 2012 established performance-based funding for courses requiring must pass, statewide, standardized EOC assessments, i.e., Algebra I, Geometry, and Biology I.¹⁰⁷ Beginning in the fourth year of administering the EOC assessment, a school district's receipt of FTE funding for the course is contingent upon the student passing the EOC assessment. Therefore, if a student fails the EOC assessment, the school will not receive FTE funding for that course. This requirement becomes effective in the 2013-14 school year, the fourth year of administration for the Algebra I EOC.¹⁰⁸ Additionally, funding of school district virtual program and Florida Virtual School students enrolled in courses requiring passage of an EOC assessment is contingent upon whether or not the student passes the EOC assessment.¹⁰⁹ These provisions are repealed by the bill.

Transition to Common Core Assessments

The bill requires the state board to adopt rules establishing an implementation schedule to transition from statewide assessments in reading, writing, and mathematics to common core assessments in mathematics and ELA. The schedule must take into consideration funding, sufficient field and baseline data, access to assessments, instructional alignment, and school district readiness to administer the common core assessments online. Until the 10th grade common core ELA assessment and the common core Algebra I assessment become must pass assessments, students must pass 10th grade FCAT Reading and the Algebra I EOC assessment, or achieve a concordant or equivalent score in order to meet graduation requirements. Thus, the bill maintains the requirement that high school students pass a high school level reading and mathematics assessment to earn a standard diploma during the transition to common core assessments. Furthermore, the bill's transition schedule increases the likelihood that student and school district readiness for the new assessments will be factored into the transition to common core assessments.

The bill also provides for the inclusion of common core assessments in mathematics and ELA in the calculation of school and school district grades, when these assessments are implemented. Thus, school districts will be accountable for student performance on these assessments when the transition is made.

The bill specifies that Common Core assessments must use achievement levels 1 through 5. Students taking 10th grade FCAT Reading or the Algebra I EOC assessment are not required to take the respective common core assessments. In addition, students must be provided retake opportunities for common core assessments in Algebra I and 10th and 11th grade ELA assessments.

B. SECTION DIRECTORY:

Section 1. Amends s. 1000.03, F.S., relating to the Function, mission, and goals of the Florida K-20 education system; provides goals regarding K-20 career and education planning.]

¹⁰⁶ Section 1008.25(8)(b), F.S.

¹⁰⁷ Section 27, ch. 2012-191, L.O.F., *codified as* s. 1011.61(1)(c)1.b.VII., F.S.

¹⁰⁸ *See* s. 1008.22(3)(c), F.S.

¹⁰⁹ Sections 1002.37(3)(a)3., 1002, 45(7)(e), 1008.22(3)(g), and 1011.61(1)(c)1.b.(V), F.S. Funding must not be adjusted for home education program students who choose to not take an end-of-course assessment. Section 1002.37(3)(a)3., F.S.

Section 2. Amends s. 1000.21, F.S., relating to Systemwide definitions; eliminates reference to Sunshine State Standards; defines the Next Generation Sunshine State Standards to include the common core standards in English Language Arts and Mathematics.

Section 3. Amends s. 1001.42, F.S., relating to Powers and duties of district school boards; adds provisions authorizing each district school board to appoint a technical center governing board; sets forth membership and function.

Section 4. Amends s. 1002.3105, F.S.; relating to Academically Challenging Curriculum to Enhance Learning Options; adds rigorous industry certifications and work-related internships or apprenticeships as options.

Section 5. Amends s. 1002.33, F.S., relating to Charter schools; conforms provisions.

Section 6. Amends s. 1002.37, F.S., relating to the Florida Virtual School; removes provisions requiring adjustment of funding based upon student passage of certain assessments.

Section 7. Repeals s. 1002.375, relating to the Alternative credit for high school courses pilot program.

Section 8. Amends s. 1002.45, F.S., relating to Virtual instruction programs; removes provisions requiring adjustment of funding based upon student passage of certain assessments.

Section 9. Amends s. 1003.02, F.S., relating to District school board operation and control of public K-12 education within the school district; conforms provisions.

Section 10. Amends s. 1003.03, F.S., relating to Maximum class size; encourages use of the early graduation option to help districts meet class size requirements; conforms provisions.

Section 11. Amends s. 1003.41, F.S., relating to Sunshine state standards; replaces term Sunshine State Standards with Next Generation Sunshine State Standards; requires standards for economics to include financial literacy; eliminates obsolete deadlines and requirements; conforms provisions.

Section 12. Repeals s. 1003.413, F.S., relating to the Florida Secondary School Redesign Act.

Section 13. Amends s. 1003.4156, F.S., relating to General requirements for middle grades promotion; revises provisions relating to the assessment of Civics; revises career and academic planning course; revises remediation requirements; conforms provisions.

Section 14. Amends s. 1003.4203, F.S., relating to Digital curriculum; requires digital instructional materials to student in prekindergarten through 12, including students with disabilities; establishes the Florida Cyber Security Recognition, Florida Digital Arts Recognition, and Florida Digital Tools Certificate programs; specifies requirements for the programs.

Section 15. Amends s. 1003.428, F.S., relating to General requirements for high school graduation, revised; adds financial literacy instruction in economics; repeals provisions regarding the award of diplomas to certain veterans; conforms provisions.

Section 16. Amends s. 1003.4281, F.S., relating to Early high school graduation; clarifies that need only complete the state-required 24 credits to be eligible for early high school graduation.

Section 17. Creates s. 1003.4282, F.S., relating to Requirements for a Standard high school diploma; establishes College and Career, Industry, and Scholar designations; specifies credit, testing, and other graduation requirements for graduation; provides a designation selection process; provides for the establishment of career education courses to allow students to earn career education and academic credit simultaneously.

Section 18. Amends s. 1003.4285, relating to Standard high school diploma designations; requires recognition of completion of the College and Career, Industry, and Scholar designations on the diploma; removes an obsolete diploma designation.

Section 19. Creates s. 1003.4286, F.S., relating to Award of standard high school diplomas to honorably discharged veterans; authorizes the commissioner to award diplomas to honorably discharged veterans, regardless of era of service.

Section 20. Repeals s. 1003.429, F.S., relating to Accelerated high school graduation options.

Section 21. Amends s. 1003.4295, relating to Acceleration options; conforms provisions.

Section 22. Repeals s. 1003.43, F.S., relating to General requirements for high school graduation.

Section 23. Amends s. 1003.433, F.S., relating to Learning opportunities for out-of state and out-of-country transfer students; conforms provisions.

Section 24. Repeals s. 1003.435, relating to High school equivalency diplomas; removes rulemaking authority.

Section 25. Amends s. 1003.436, F.S., Definition of a credit; creates an exception for students earning credit through the Credit Acceleration Program.

Section 26. Amends s. 1003.438, F.S., relating to Special high school graduation requirements for certain exceptional students; conforms provisions.

Section 27. Amends s. 1003.491, F.S., relating to the Florida Career and Professional Education Act; conforms provisions.

Section 28. Amends s. 1003.4935, F.S., relating to Middle school career and professional academy courses and career-themed courses; removes rulemaking authority; conforms provisions.

Section 29. Amends s. 1003.51, F.S., relating to Other public educational services; conforms provisions.

Section 30. Amends s. 1003.621, F.S., relating to Academically high-performing school districts; conforms provisions.

Section 31. Amends s. 1004.935, F.S., relating to Adults with Disabilities Workforce Education Pilot Program; conforms provisions.

Section 32. Amends s. 1007.271, F.S., relating to Dual enrollment programs; revises requirements relating to career dual enrollment and career early admission; conforms provisions.

Section 33. Amends s. 1008.22, F.S., relating to Statewide assessments; conforms assessment provisions to high school graduation designations; specifies a date for administering the Florida Alternate Assessment; specifies requirements regarding concordant and equivalent scores for statewide assessments; revises provisions relating to the assessment of middle school Civics; provides that additional EOC assessments established by the commissioner count as 30 percent of student's final course grade; specifies requirements for revising cut scores; requires the state board to adopt a transition schedule for common core assessments.

Section 34. Amends s. 1008.25, F.S., relating to Public school student progression; requires comprehensive student progression plan to include instructional sequences relating to digital competency tools/application; eliminates redundant reporting and progress reviews; eliminates reference to obsolete programs; revises research-based remedial reading instruction requirement; revises publication requirements for certain information; conforms provisions.

Section 35. Amends s. 1008.30, F.S., relating to Common placement testing; conforms provisions.

Section 36. Amends s. 1008.34, F.S., relating to the School grading system; conforms provisions.

Section 37. Creates s. 1008.44, F.S., relating to Industry certifications; requires state board to annually adopt industry certification funding lists; establishes a postsecondary industry certification funding list; allows differentiated funding for certain industry certifications

Section 38. Amends s. 1009.531, F.S., relating to the Florida Bright Futures Scholarship Program; conforms provisions.

Section 39. Amends s. 1011.61, F.S., relating to the definition of Full-time equivalent student; removes the provisions conditioning funding of students in courses with certain assessments on student passage of the assessment.

Section 40. Amends s. 1011.62, F.S.; relating to Funds for operation of schools; revising the funding calculation for students who earn industry certification; revising provisions related to AP teacher bonuses.

Section 41. Amends s. 1012.22, F.S., relating to Public school personnel; conforms provisions.

Section 42. Amends s. 1012.56, F.S., relating to Educator certification; conforms provisions.

Section 43. Amends s. 1012.98, F.S., relating to the School Community Professional Development Act; eliminates requirement that school principals establish an individual professional development plan for each instructional employee; makes such plans optional.

Section 44. Creates an unnumbered section of law enabling students who have select an accelerated graduation option before July 1, 2013, to complete the program.

Section 45. Creates an unnumbered section of law directing the Division of Law Revision and Information to change all statutory references from Sunshine State Standards to Next Generation Sunshine State Standards.

Section 46. Provides that the bill takes effect July 1, 2013.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

The fiscal impact of this bill is indeterminate. The administrative and procedural costs to districts to make the necessary adjustments required by the bill, including notifications to students and parents about the changes in law and student placement within the standard diploma designations cannot be quantified. Routine notifications to parents and students already occur, but the bill will require adjustments to the content of the information provided.

The bill does remove the “pay for performance” provision that would have kept districts and the FLVS from receiving FTE funding for students who did not pass the required EOC assessments.

The bill requires school districts to provide students with access to digital instructional materials and specifies that such materials may be provided through open-access options or deployed through online or digital computer applications. Thus, the bill does not require school districts to develop or purchase new materials, as cost-free options or digital materials already in service may be used to fulfill this requirement. Furthermore, school districts choosing to purchase new materials may use a portion of their state funds for instructional materials for this purpose.

The bill requires DOE to develop more career education courses, contingent upon funding; accordingly that requirement is fiscally neutral. However, in order for the career education program to grow, additional funding would be beneficial.

The bonus award associated with the successful completion of a career-themed course does not have a fiscal impact as these funds are currently funded as add-on FTE within the Florida Education Finance program (FEFP). The bill does expand the maximum amount of the total funds generated by the add-on FTE from \$15 million to \$60 million.

New digital literacy recognition programs include the Florida Digital Learning Certificate of Achievement to be awarded to elementary schools in which 75 percent of the students have attained the Florida Cyber Security Recognition or the Florida Digital Arts Recognition. There is no monetary reward associated with certificate of achievement. Additionally, subject to appropriations, middle schools may generate \$50 per FTE bonus within the FEFP, with a maximum of \$15,000 per school, for each student earning the Florida Digital Tools Certificate.

The bonus award amounts are increased from \$2,000 to \$3,000 per teacher for students scoring a 3 or higher on the College Board Advanced Placement Examination. The change in award does not have a fiscal impact as these bonuses are currently paid out of the funding generated from the add-on FTE within the FEFP and allows the teacher to receive a larger bonus.

This bill, in effect, will reduce the number of EOC assessment retakes required, which will reduce expenses to DOE in that costs of statewide, standardized assessments, which include EOC assessments and retakes are born by DOE.

When the state transitions to common core assessments in ELA and Mathematics there will be an overlap period wherein some students will continue to take 10th grade FCAT Reading and the Algebra I EOC assessment while students in other grades and courses will be taking the common core assessments. These costs occur whenever the state transitions to different assessments.

Since the bill does not require transition to common core assessments by a date certain, but authorizes transition pursuant to state board adoption of a transition schedule, there is no immediate fiscal impact. However, given the predicted rigor and length of the new common core assessments as well as their anticipated online delivery, costs will occur to develop the necessary infrastructure for school districts to be able to manage the assessment schedule and for DOE to deploy the new assessments. In addition, costs are associated with the purchase of the common core assessments as well as recurring costs associated with the distribution, maintenance, and grading of the assessments. Once the state is fully transitioned to common core ELA and Mathematics assessments, then the funding for FCAT Reading, FCAT Writing, and the Algebra I EOC assessments will fully shift to support funding for common core assessments.

DOE annually receives funding through a specific appropriation for "Assessment and Evaluation." The costs associated with transition to common core assessments will need to be addressed through that specific appropriation. For FY 2012-13, \$85.5 million was appropriated for assessment and evaluation, of which approximately \$72.2 million is for K-12 measurements and \$13.3 million for postsecondary measurements. Of the \$72.2 million approximately \$10 million is for non-FCAT/EOC assessment purposes.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not Applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill establishes new State Board of Education rulemaking authority regarding:

- The new high school diploma designations.
- Digital literacy materials, recognitions, and certificates.
- An implementation schedule for transitioning from existing statewide assessments to common core assessments in mathematics and ELA.
- A Postsecondary Industry Certification Funding List.

The bill repeals rulemaking authority regarding high school equivalency diplomas.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 5, 2013, the K-12 Subcommittee adopted three amendments and reported the proposed committee bill favorably. The amendments:

- Revised the requirement that retained 3rd graders be provided 90 minutes of research-based reading instruction daily by allowing the 90 minutes of instruction to be broken into smaller increments of not less than 20 minutes at a time.
- Required that information related to student progression be published on a school district's website rather than in a local newspaper.
- Made individual professional development plans for instructional employees optional rather than mandatory.

On March 19, 2013, the Education Appropriations Subcommittee adopted three amendments and reported the bill favorably as a committee substitute. The amendments:

- Provided that students must pass certain EOC assessments to earn a standard diploma; however, passage will no longer be required to earn high school course credit.
- Removed provisions stating that students may not be required to pass common core assessments in mathematics and ELA until the fourth year of administration, after field and baseline testing.
- Added provisions revising the funding calculation for students who earn industry certification.
- Added provisions allowing AP teachers to earn additional bonuses, if certain requirements are met
- Added provisions enabling elementary and middle schools to receive rewards relating to student completion of certain digital literacy programs.