

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

BILL: CS/CS/SB 2184

SPONSOR: Appropriations Committee, Education Committee, and Senator Miller

SUBJECT: Student Achievement

DATE: April 20, 2004 REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>deMarsh-Mathues</u>	<u>O'Farrell</u>	<u>ED</u>	<u>Favorable/CS</u>
2.	<u>_____</u>	<u>_____</u>	<u>AED</u>	<u>Withdrawn</u>
3.	<u>Armstrong</u>	<u>Coburn</u>	<u>AP</u>	<u>Favorable/CS</u>
4.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
5.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>
6.	<u>_____</u>	<u>_____</u>	<u>_____</u>	<u>_____</u>

I. Summary:

The committee substitute creates the Florida Partnership for Minority and Underrepresented Student Achievement Act to allow the Department of Education (DOE) to contract for the operation of the partnership. The mission of the partnership will be to prepare students for postsecondary success and opportunity, with particular emphasis on minority and underrepresented students. The bill provides legislative intent, PSAT/NMSQT and Preliminary ACT (PLAN) mandatory 10th grade testing, funding for the testing to be contingent upon an appropriation, and the purposes and duties of the Partnership and the DOE, which include the provision of teacher training and professional development for advanced placement or other advanced courses. The bill requires evaluation reports by the Partnership to the DOE and indicates that funding for the Partnership will also be contingent upon an appropriation. The bill requires the DOE to provide the Partnership with access to specific data, including teacher professional development information and student-level data on student progress. The bill also requires the Partnership to protect the confidentiality of information.

This bill creates s. 1007.35, Florida Statutes.

The effective date of the act is July 1, 2004.

II. Present Situation:

The state, through proviso in the General Appropriations Act (GAA), provides funding for all 10th grade students to take the College Board's PSAT or the American College Testing Program's Preliminary ACT (PLAN).¹ Proviso language states that test results will provide

¹ See Chapter 2003-397, Specific Appropriation 109.

each high school with a database of student assessment data for use by guidance counselors to identify students who are ready or who need additional work to be prepared to enroll and be successful in advanced placement and other higher level college preparatory courses. Proviso also directs school districts to submit documentation of the number of students taking examinations to the Commissioner of Education.

According to the American College Testing Program:²

- the Preliminary ACT (PLAN®) is a comprehensive guidance resource that helps students measure their current academic development, explore career/training options, and make plans for the remaining years of high school and post-graduation years.

According to the College Board:

- the PSAT/NMSQT (Preliminary SAT®/National Merit Scholarship Qualifying Test) contains actual SAT questions and gives the student a chance to qualify for scholarship and recognition programs.

	Number of Grade 10 Students	Number taking PSAT	Percentage of 10 th Graders taking PSAT	Number taking PLAN	Percentage of 10 th Graders taking PLAN
Fall 1999	177,234	36,682	20.7	6,725	3.8
Fall 2000	170,385	77,773	45.6	24,020	14.1
Fall 2001	172,870	87,684	50.7	17,831	10.3
Fall 2002	184,264	99,922	54.2	15,561	8.4

Number of Grade 10 Students Taking the PSAT and/or the Preliminary ACT (PLAN) in Florida Public Schools

According to DOE, almost all 10th graders (187,737 students) took either the PSAT or Preliminary ACT (PLAN) in the fall of 2003.

College Board

The College Board is a non-profit membership association. The Advanced Placement Program® is a cooperative educational endeavor between secondary schools, colleges, and universities that provides high school students with the opportunity to take college-level courses in a high school setting.

The College Board has formed a partnership with the State of Florida (the Florida Partnership) that is part of the Governor’s One Florida Plan and includes the following goals:³

- Raising student achievement in middle schools through high schools.
- Improving college readiness by reaching out to the middle schools to start early college preparation, improve academic skills, and familiarize students with college admission tests.
- Building rigorous academic curriculum, including more access for all students to AP® classes and other challenging courses.
- Providing training in concept knowledge and instructional skills to teachers and administrators.

² American College Testing is a private, not-for-profit organization governed by educators.

³ See <http://www.collegeboard.com/about/association/florida.html>

- Encouraging parental involvement to inspire more students to challenge themselves academically, and prepare for college and careers.
- Measuring and evaluating results, encouraging feedback and dialogue among educators to continue improving the quality of education for all students in schools in Florida.

The partnership's components include tutoring, professional development for teachers, SAT® preparation, early identification of potential Advanced Placement students, and information for families to help prepare their students for college. The Florida Partnership also offers workshops to Florida public school educators. AP® Summer Institutes provide teachers with an overview of the curriculum, structure, and content of specific AP courses. AP® Summer Institutes are open to all educators.⁴

The National Merit Scholarship Corporation (NMSC)

The NMSC is a not-for-profit organization that conducts two academic competitions for recognition and undergraduate scholarships, the National Merit® Scholarship Program and the National AchievementSM Scholarship Program. Each year about 55,000 high school students are honored in NMSC programs and more than 10,500 participants receive scholarships worth a total of \$50 million for college undergraduate study.⁵ Although NMSC underwrites more than a quarter of the scholarships with its own funds, most awards are provided by hundreds of independent sponsor organizations.⁶

Florida Students/Advanced Placement (AP)

According to the DOE:

- Increasing numbers of Florida's high school students are taking and passing AP exams.
- Individual Florida students are also taking exams in more subject areas.
- Although the estimated number of Florida public high school graduates increased by only 3 percent in 2003, the number of AP test takers increased by 19 percent. Nationwide the number of AP test takers increased by 10 percent.
- Increases in minority students were even higher: the number of Hispanic and African-American test takers jumped by more than 25 percent; the number of Hispanic test takers in the U.S. increased by 16 percent, and the number of African-American test takers increased by 13 percent.⁷

According to the DOE, the agency provides incentive funds to schools for AP scores at levels 3-5 and most public high schools currently offer AP courses to some extent.

III. Effect of Proposed Changes:

The bill creates s.1007.35, F.S., the Florida Partnership for Minority and Underrepresented Student Achievement Act to allow the DOE to contract with an entity for the operation of the Florida Partnership for Minority and Underrepresented Student Achievement (partnership). The partnership's mission is to prepare, inspire, and connect students to postsecondary success and opportunity, with a particular focus on minority students and students who are underrepresented in postsecondary education.

⁴ See http://www.collegeboard.com/prod_downloads/floridapartnership/workshops/workshops_springsum04.pdf

⁵ See <http://www.nationalmerit.org/>

⁶ Ibid.

⁷ "SAT Trends, Florida and the Nation," Florida Department of Education, August 2003.

Partnership

The partnership's duties include the following:

- Providing teacher training and professional development to enable teachers of AP or other advanced courses to have the necessary content knowledge and instructional skills to prepare students for success on AP or other advanced course examinations and mastery of postsecondary course content.
- Providing middle school teachers and administrators professional development to enable them to educate middle school students at the level necessary to prepare the students to enter high school ready to participate in advanced courses.
- Providing teacher training and materials aligned with the Sunshine State Standards and consistent with best theory and practice regarding multiple learning styles and research.
- Providing assessment of individual strengths and weaknesses on potential success in AP or other advanced courses and readiness for college.
- Providing college entrance exam preparation through a variety of means.
- Providing a plan that includes communication and coordination of efforts with the Florida Virtual School's on-line AP or other advanced courses.

Curriculum materials must be based on current, accepted, and essential academic knowledge. Materials for prerequisite courses should at least address the skills assessed on the FCAT. The bill also requires the Partnership to protect the confidentiality of student information in a manner that comports with 20 U.S.C. s. 1232g and s. 1002.22, F.S. The DOE, in providing access to the partnership for teacher and student data, must comply with the provisions of ss. 119.0721, F.S., to maintain the confidentiality of social security numbers.⁸

The partnership must annually submit to DOE a report evaluating the effectiveness of the services and activities, based on the following:

- effectiveness at raising student achievement;
- increasing the number of AP or other advanced course examinations in low-performing middle and high schools;
- number of middle and high school teachers trained;
- effectiveness of the teacher training;
- measures of postsecondary readiness of the students affected by the program;
- levels of participation in 10th-grade PSAT/NMSQT or Preliminary ACT (PLAN) testing; and
- measures of student, parent, and teacher satisfaction with the partnership's services.

Department of Education (DOE)/State Board of Education

The DOE responsibilities include the following:

- contributing to the evaluation process by providing access to student and teacher information necessary to match against databases containing teacher professional

⁸ Section 119.0721, F.S., establishes a public records exemption for social security numbers in the possession of state agencies, its agents, employees, or contractors. Social security numbers may be disclosed to another governmental entity or its agents, employees, or contractors if disclosure is necessary for the receiving entity to perform its duties and responsibilities. The receiving governmental entity and its agents, employees, and contractors must maintain the confidential and exempt status of such numbers.

development data and databases containing assessment data for the PSAT/NMSQT, SAT, and AP and other appropriate measures;

- providing available student-level data on student progress from middle school through high school and into college and the workforce, in order to support longitudinal studies;
- helping the partnership in communicating opportunities and priorities to administrators, teachers, and counselors whenever possible; and
- approving an annual plan of delivery of services for the next academic year.

The bill provides rulemaking authority to the State Board of Education.

Public High Schools

Each public high school, including Department of Juvenile Justice schools, alternative sites, and centers, must provide for administering the PSAT/NMSQT or Preliminary ACT (PLAN) to all enrolled 10th-grade students. The bill requires written notice to parents that provides an opportunity to exempt students from the tests.

School Districts

Districts must select either the PSAT/NMSQT or Preliminary ACT (PLAN) for district-wide administration.

The bill also provides that the act does not prohibit any organization from serving as a partner with the state to improve college readiness for students.

Section 2. The effective date of the act is July 1, 2004.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Economic Impact and Fiscal Note:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill requires the participating partner to match at least one-third of the allocation provided to the partnership in the GAA in materials and services to the program. The

DOE indicated that many of the professional development activities contained in the bill are already a part of the College Board's services.

C. Government Sector Impact:

Annual funding for the PSAT/NMSQT or Preliminary ACT (PLAN) for all 10th-grade students and for the partnership is contingent upon funds provided in the General Appropriations Act (GAA). Also, the bill allows DOE to contract for the operation of the Florida Partnership for Minority and Underrepresented Student Achievement.

For 2003-2004, the General Appropriations Act provided \$5.5 million for the Florida Partnership.⁹ \$1.6 million was also provided for the statewide administration to all 10th grade students of the preliminary SAT or ACT college entrance examinations. Proviso directs each school district to choose either the PSAT or ACT and requires the Department of Education to pay the cost of the preliminary college entrance examinations directly to the providers.¹⁰ DOE indicates that the agency's current legislative budget request for 2004-2005 for assessment includes \$1.7 million for statewide administration of the college entrance exams; this amount is sufficient for the testing of all 10th grade students. According to the DOE, the current administration of these exams includes 98 percent of the students.

The DOE noted that some local school boards will need to support training and testing activities beyond their current commitment.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's sponsor or the Florida Senate.

⁹ Specific Appropriation 70, Chapter 2003-397, L.O.F. According to DOE, these funds are a part of the agency's assessment budget.

¹⁰ According to DOE, 29 school districts currently choose the PLAN.