

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/SB 2184

SPONSOR: Education Committee and Senator Miller

SUBJECT: Student Achievement

DATE: March 31, 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>AED</u>	_____
3.	_____	_____	<u>AP</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

The bill creates the Florida Partnership for Minority and Underrepresented Student Achievement Act to codify an existing contract between the College Board and the Department of Education. The bill provides legislative intent, PSAT mandatory 10th grade testing and funding of the testing, and the purposes and duties of the Partnership, the DOE and the College Board. The bill requires evaluation reports by the Partnership to the DOE and provides for funding the Partnership. 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 ACT (PLAN).¹ Proviso language states that test results will provide 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.

¹ See Chapter 2003-397, Specific Appropriation 109.

According to the American College Testing Program:

- the 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 Taking the PSAT and/or the PLAN in Florida Public Schools²

	Number of Grade 10 Students	Number taking PSAT	Percentage of 10th Graders taking PSAT	Number taking PLAN	Percentage of 10th 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

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.
- 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

² Source: House Committee Staff Analysis, HB 1301.

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

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 codify the existing partnership between the state and the College Board. DOE must contract with the College Board (the Board) to operate the Florida Partnership for Minority and Underrepresented Student Achievement (partnership). The partnership's mission is to prepare, inspire, and connect students to college success and opportunity, with a particular focus on minority students and students who are underrepresented in postsecondary education.

Partnership

The partnership's duties include the following:

- Providing teacher training and professional development, endorsed by the Board, to enable teachers of AP courses to have the necessary content knowledge and instructional skills to prepare students for success on AP examinations and mastery of college course content.

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.

- Providing middle school teachers and administrators professional development, endorsed by the Board, 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 courses and readiness for college.
- Providing SAT 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 courses, as well as marketing.

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.

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 examinations in low-performing middle and high schools;
- number of middle and high school teachers trained;
- effectiveness of the teacher training;
- measures of college readiness of the students affected by the program;
- levels of participation in 10th-grade PSAT/NMSQT 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 development data and databases containing assessment data for the PSAT/NMSQT, SAT, and AP;
- 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.

School Districts

School districts must ensure that each high school, including Department of Juvenile Justice schools, alternative sites, and centers, administers the PSAT/NMSQT to all enrolled 10th-grade students on the date set by the Board and the National Merit Scholarship Corporation. By October 2005, districts that offer fall breaks must schedule the breaks on dates that do not coincide with the weekday national test date for the PSAT/NMSQT.

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 College Board 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:

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

For 2003-2004, the General Appropriations Act provided \$5.5 million for the Florida Partnership.⁸ Funding was also provided (\$1.6 million) 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. DOE indicates that the agency's current legislative budget request for 2004-2005 (\$1.7 million) for assessment and school performance is sufficient for the testing costs associated with testing all 10th grade students. According to the DOE, the current assessment includes only 98 percent of the students.

The bill requires funding for the PSAT/NMSQT for all 10th-grade students and for the partnership to be provided each year in the General Appropriations Act (GAA). Also, the bill requires DOE to contract with The College Board to operate the Florida Partnership for Minority and Underrepresented Student Achievement.

⁸ Specific Appropriation 70, Chapter 2003-397, L.O.F. According to DOE, these funds are a part of the agency's assessment and school performance unit's budget.

The bill *requires* annual funding in the GAA. The GAA provides for *annual* appropriations. As well, current law (s. 287.0582 , F.S.) prohibits an executive branch public officer or employee from entering into a contract on behalf of the state, which binds the state or its executive agencies for the purchase of services or tangible personal property for a period in excess of 1 fiscal year, unless the contract contains a contingency statement. The required statement advises the contractual parties that the state's performance and obligation to pay under the contract are contingent upon an annual appropriation by the Legislature.

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.
