

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Committee on Education Pre-K - 12

BILL: CS/SB 1076

INTRODUCER: Education Pre-K - 12 Committee and Senator Legg

SUBJECT: Education

DATE: February 4, 2016

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Graf	Klebacha	ED	Fav/CS
2.			AED	
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1076 expands student access to advanced-level instruction and examinations that students may take to generate high school credit through a performance-based approach. Specifically, the bill:

- Provides for the creation of structured high school acceleration programs (structured programs) that may include collegiate high school programs, and modifies existing provisions for collegiate high school programs to also apply to the structured programs.
- Specifies the purpose of the structured programs.
- Requires the structured program contracts to delineate courses that fulfill general education core curriculum or common prerequisites.
- Establishes bonus funding for school districts based on students successfully completing 30 or 60 college credit hours and attaining one or more industry certifications.
- Prohibits school districts from receiving certain benefits and flexibilities, authorized under law, if the district school boards for such school districts do not meet specified conditions.
- Establishes notification requirements for district school boards, and reporting requirements for district school superintendents and the Commissioner of Education.
- Expands the Credit Acceleration Program mechanism for earning high school credit to include Advanced Placement examinations that students may take to fulfill the requirements for earning a standard high school diploma and a scholar or merit designation on the diploma.

The bill takes effect July 1, 2016.

II. Present Situation:

Over the years, the Legislature has enacted laws to ensure that all students have access to high quality education and are prepared for success in college and career.

Collegiate High School Program

The collegiate high school program was established in 2014,¹ providing a pathway for high school students to earn a full year of college credit while enrolled in high school. The law requires each district school board and its local Florida College System (FCS) institution to establish one or more collegiate high school programs at a mutually agreed upon location or locations.² A collegiate high school program must, at a minimum, include an option for public school students in grade 11 or grade 12, for at least one full year, to earn CAPE industry certifications and successfully complete 30 credit hours through dual enrollment toward the first year of college (for an associate degree or a baccalaureate degree) while enrolled in the program.³

In Fall 2015, FCS institutions were engaged in partnership with 40 collegiate high school programs with a total estimated enrollment of over 7,500 students.⁴

Collegiate High School Program Contracts

To establish a collegiate high school program (program), each district school board and its local FCS institution must execute a contract, which must be executed by January 1 of each school year for implementation of the program in the next school year.⁵ The law specifies the information that must be included in the contract (e.g., identification of grade levels to be included in the program and delineation of courses and industry certifications offered).⁶ In addition to executing a program contract with the local FCS institution, a district school board is also authorized to execute a program contract with a state university or an eligible college or university.⁷

Student Performance Contract

Each student participating in the program must enter into a student performance contract that must be signed by the student, his or her parent, and a representative of the applicable school district and FCS institution, state university, or eligible college or university.⁸ The student

¹ Section 10, ch. 2014-184, L.O.F., *codified at* s. 1007.273, F.S.

² Section 1007.273(3), F.S.

³ Section 1007.273(2)-(3), F.S.

⁴ Florida Department of Education, *Collegiate High School Program Update*, Presentation to the Florida Senate Committee on Education Pre-K – 12 (Dec. 3, 2015), available at http://www.flsenate.gov/PublishedContent/Committees/2014-2016/ED/MeetingRecords/MeetingPacket_3291.pdf, at 3.

⁵ Section 1007.273(3), F.S.

⁶ *Id.*

⁷ An eligible college or university means “an institution that is eligible to participate in the William L. Boyd, IV, Florida Resident Access Grant Program, that is a nonprofit independent college or university located and chartered in this state, and is accredited by the Commission on Colleges of the Southern Association of Colleges and Schools to grant baccalaureate degrees.” Section 1007.273(5), F.S.

⁸ Section 1007.273(4), F.S.

performance contract must include the schedule of courses by semester, and industry certifications to be taken by the student, student attendance requirements, and course grade requirements.⁹

Funding

Funding for collegiate high school programs is based on the funding mechanism for dual enrollment.¹⁰ The State Board of Education is required to enforce compliance with the collegiate high school program provisions by withholding the transfer of funds for the school districts and the FCS institutions in accordance with the law.¹¹

Credit Acceleration Program

In 2010, the Florida Legislature established the Credit Acceleration Program (CAP) to allow a student to earn high school credit in Algebra I, Algebra II, geometry, United States history, or Biology if the student attains a passing score on the corresponding statewide, standardized assessment without enrolling in or completing the course.¹²

Standard High School Diploma Designations

A student may earn a scholar designation¹³ or a merit designation¹⁴ on the standard high school diploma if the student meets specified conditions in addition to fulfilling the requirements to earn the diploma.¹⁵

Scholar Designation

A student must satisfy the following requirements:¹⁶

- Mathematics – earn one credit in Algebra II and one credit in statistics or equally rigorous course. Beginning with students entering grade 9 in 2014-2015 school year, pass the Algebra II and geometry statewide, standardized assessments.
- Science – pass the statewide, standardized Biology I end-of-course (EOC) assessment and earn one credit in chemistry or physics and one credit in a course equally rigorous to chemistry or physics. A student enrolled in the Advanced Placement (AP), International Baccalaureate (IB), or Advanced International Certificate of Education (AICE) Biology course who takes the respective AP, IB, or AICE assessment and earns the minimum score to generate college credit, in accordance with the law, is not required to take the Biology I EOC assessment.
- Social Studies – pass the statewide, standardized United States History EOC assessment. A student enrolled in the AP, IB, or AICE United States History topics who takes the respective

⁹ Section 1007.273(4), F.S.

¹⁰ Section 1007.273(6), F.S.

¹¹ *Id.*

¹² Section 5, ch. 2010-22, L.O.F., *codified at* s. 1003.4295(3), F.S.

¹³ Section 1003.4285(1)(a), F.S.

¹⁴ Section 1003.4285(b), F.S.

¹⁵ Section 1003.4282, F.S.

¹⁶ Section 1003.4285(1)(a), F.S.

AP, IB, or AICE assessment and earns the minimum score to generate college credit, in accordance with the law, is not required to take the United States History EOC assessment.

- Foreign language – earns two credits in the same foreign language.
- Electives – earn at least one credit in AP, IB, AICE, or dual enrollment course.

Merit Designation

A student must attain one or more industry certifications.¹⁷

III. Effect of Proposed Changes:

CS/SB 1076 expands student access to advanced-level instruction and modifies students' ability to generate high school credit through a performance-based approach.

Structured High School Acceleration Programs

The bill provides for the creation of structured high school acceleration programs (structured programs) that may include collegiate high school programs, and modifies existing provisions for collegiate high school programs to also apply to the structured programs.

Purpose

The bill specifies the purpose of the structured programs must be to provide students opportunities to complete 30 credit hours toward general education core¹⁸ curriculum or common prerequisite¹⁹ requirements. The credit hours may be earned through articulated acceleration mechanisms, in addition to dual enrollment, including Advanced Placement (AP), International Baccalaureate (IB), Advanced International Certificate of Education (AICE), or College Level Examination Program (CLEP). This modification establishes a purposeful organization of the structured programs that assist students in earning meaningful college credits applicable toward general education core curriculum or common prerequisite requirements, leading to an associate degree²⁰ or a baccalaureate degree.²¹ Statewide articulation agreements²² govern articulation

¹⁷ Section 1003.4285(1)(b), F.S.

¹⁸ General education core course options consist of a maximum of five courses within each of the subject areas of communication, mathematics, social sciences, humanities, and natural sciences. The course options are identified by faculty committees that are jointly appointed by the chair of the State Board of Education (state board) and the chair of the Board of Governors (BOG). Section 1007.25(3), F.S.; *see also* Rule 6A-14.0303, F.A.C. and Board of Governors Regulation 8.005.

¹⁹ The Department of Education is required to identify common prerequisite courses and course substitutions for degree programs across all institutions. Common degree program prerequisites must be offered and accepted by all state universities and Florida College System (FCS) institutions, except in cases approved by the state board for the FCS institutions and the BOG for the state universities. Section 1007.25(5), F.S.

²⁰ Typically, an associate in arts degree requires 60 semester hours of college credit and include 36 semester hours of general education coursework. Section 1007.25(7), F.S.

²¹ A baccalaureate degree program usually requires 120 semester credit hours and include 36 semester hours of general education coursework, unless prior approval has been granted by the BOG for baccalaureate degree programs offered by state universities and by the state board for baccalaureate degrees offered by Florida College System institutions. Section 1009.25(8), F.S.

²² The state board and the BOG are required to enter into a statewide articulation agreement, providing for the transfer and application of credits earned by students in high school or in postsecondary programs of study. Section 1007.23(1), F.S.

between secondary and postsecondary education to facilitate the seamless articulation of student credit across and among Florida's educational entities.²³

Structured High School Acceleration Program Contract

The bill requires the structured program contract to delineate course offerings that include courses that fulfill general education core curriculum or common prerequisite requirements. Accordingly, students will be afforded information regarding specific courses and credits that may be applied toward fulfilling the requirements for at least the first year of college and ultimately, an associate degree or baccalaureate degree.

Current law allows students to earn both high school and college credits concurrently through dual enrollment.²⁴ Additionally, students may participate in other acceleration mechanisms to generate college credits.²⁵ The Articulation Coordinating Committee (ACC)²⁶ has established passing scores and course and credit equivalents for the AP, IB, AICE, CLEP tests that are currently specified in law as well as for additional tests that are not specified in law.²⁷ The credit-by-exam equivalencies have been adopted in rule by the State Board of Education (SBE or state board).²⁸ If a student attains a passing score on the AP, AICE, IB, or CLEP exam, state universities and Florida College System (FCS) institutions must award the minimum credit for the course or courses specified on the credit-by-exam equivalencies list, even if such institutions do not offer the course or courses.²⁹

College credits earned before graduation from high school may result in tuition and fee savings for the students.

Bonus Funding and Compliance Requirements for School Districts

The bill establishes bonus funding for school districts to reward districts for providing students access to advanced-level instruction through structured programs. Similar to bonus funding authorized for CAPE Acceleration Industry Certifications, the bill provides:

- 0.5 full-time equivalent (FTE) bonus for a student enrolled in the program who successfully completes 30 credit hours toward general education core curriculum or common prerequisite course requirements, and attains one or more industry certification before graduating from high school; and
- An additional 0.5 FTE bonus for a student enrolled in the program who successfully completes 60 credit hours towards an associate in arts or associate in science degree, and attains one or more industry certification before graduating from high school.

²³ Section 1007.23(1)(a), F.S.

²⁴ Section 1007.271(1), F.S.

²⁵ Section 1007.27, F.S.

²⁶ The Articulation Coordinating Committee (ACC) is established by the Commissioner of Education in consultation with the Chancellor of the State University System, to make recommendations related to statewide articulation policies regarding access, quality, and data reporting. The ACC serves as an advisory body to the Higher Education Coordinating Council, the state board, and BOG. Section 1007.01(3), F.S.

²⁷ Florida Department of Education, *Articulation Coordinating Committee Credit-By-Exam Equivalencies* (Initially adopted Nov. 14, 2001), available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078391-acc-cbe.pdf>.

²⁸ Rule 6A-10.024, F.A.C.

²⁹ Florida Department of Education, *Articulation Coordinating Committee Credit-By-Exam Equivalencies* (Initially adopted Nov. 14, 2001), available at <http://www.fldoe.org/core/fileparse.php/5421/urlt/0078391-acc-cbe.pdf>, at 1.

In addition, the bill establishes conditions which school districts must meet to become eligible for certain benefits and flexibilities. Specifically, to qualify for the academically high-performing school district designation or have the maximum class size for any school in the district be calculated at the school level, the bill specifies that a district school board must:

- Execute a structured program contract with its local FCS institution to establish one or more structured programs.
- Enroll at least 2 percent of its public school students in grades 11 and 12 in the district's structured program.

The bill also specifies that district school boards must not limit student enrollment in the structured programs.

The bonus funding incentives coupled with the specified conditions for receiving benefits and flexibilities may motivate school district and student participation in the structured programs, which may encourage program expansion. Participation in such programs will likely help students gain access to advanced-level instruction and opportunities to earn industry-approved industry certifications, and generate college credit.

Notification and Reporting Requirements

The bill establishes notification requirements for each district school board to inform students enrolled in grades 9, 10, 11, and 12 in a public school within the school district about the structured programs, specifying the method for earning college credits and the estimated cost savings to students and their families associated with earning the college credits before graduating from high school. This requirement will likely create awareness about structured programs including, but not limited to, collegiate high school programs, which may increase student participation in such programs.

Additionally, the bill specifies reporting requirements for district school superintendents and the Commissioner of Education (commissioner):

- By September 1 of each school year, each district school superintendents must report to the commissioner information regarding student enrollment and completion, attainment of industry certifications, and barriers to executing structured program contracts.
- By November 30 of each school year, the commissioner must report to the Governor, President of the Senate, and the Speaker of the House of Representatives the status of structured programs and provide recommendations for expanding access to such programs statewide.

The reporting requirements may assist with program improvement efforts at the local and state level.

Credit Acceleration Program

The bill also expands the Credit Acceleration Program (CAP) mechanism for earning high school credit to include Advanced Placement examinations that students may take to fulfill the requirements for earning a standard high school diploma and a scholar or merit designation on the diploma. Specifically, the bill allows students to earn high school credit in Algebra I, Algebra

II, geometry, United States history, or a course required to earn a scholar or merit designation if such students attain a passing score on the corresponding statewide, standardized assessment or Advanced Placement (AP) examination, without enrolling in or completing the course associated with that assessment or examination. Currently, under the CAP, the competency-based mechanism for earning high school credit is limited to students passing specified statewide, standardized assessments.³⁰

The bill takes effect July 1, 2016.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

³⁰ Section 1003.4295(3), F.S.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1003.4295, 1003.621, and 1007.273.

IX. Additional Information:**A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education Pre-K - 12 on February 2, 2016:

The committee substitute maintains the substance of the bill with modifications that:

- Provide for the creation of structured high school acceleration programs (structured programs) that may include collegiate high school programs and modifies existing provisions for collegiate high school programs to also apply to the structured programs.
- Specify the purpose of the structured programs.
- Require the structured program contracts to delineate courses that fulfill general education core curriculum or common prerequisites.
- Establish bonus funding for school districts based on students successfully completing 30 or 60 credit hours and attaining one or more industry certifications.
- Prohibit school districts from receiving certain benefits and flexibilities, authorized under law, if the district school boards for such school districts do not meet specified conditions.
- Establish notification requirements for district school boards, and reporting requirements for district school superintendents and the Commissioner of Education.

B. Amendments:

None.