

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

BILL: SB 226

INTRODUCER: Senator Brandes

SUBJECT: Mastery-based Education

DATE: March 11, 2019

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Bouck	Sikes	ED	Pre-meeting
2.			AED	
3.			AP	

I. Summary:

SB 226 renames the Competency-Based Education Pilot Program as the Mastery-Based Education Pilot Program (mastery-based pilot) and:

- Expands participation in the mastery-based pilot to all school districts.
- Authorizes district school boards participating in the mastery-based pilot to:
 - Determine and award credit based on student’s mastery of core content and skills.
 - Use an alternative interpretation of letter grades to measure student success in grades 6-12.
- Requires the statewide articulation agreement to ensure fair and equitable access for high school graduates with mastery-based, nontraditional diplomas and transcripts.

The bill has no impact on state revenues or expenditures.

The bill takes effect July 1, 2019.

II. Present Situation:

Competency-Based Education Pilot Program

In 2016¹ the Legislature created the Competency-Based Education Pilot Program (pilot program) within the Department of Education (DOE) to be administered for a period of 5 years, beginning with the 2016-2017 school year.² The purpose of the pilot program is to provide an educational environment that allows students to advance to higher levels of learning upon the mastery of concepts and skills through statutory exemptions relating to student progression and the awarding of credits.³

¹ Section 1, ch. 2016-149, L.O.F.

² Section 1003.4996, F.S.

³ *Id.*

The Lake, Palm Beach, Pinellas, and Seminole County School Districts and the P.K. Yonge Developmental Research School may submit an application in a format prescribed by the DOE to participate in the pilot program.⁴

The application to participate in the pilot program must, at a minimum, include:⁵

- The vision and timelines for the implementation of competency-based education within the school district, including a list of the schools that will participate in the pilot program during the first school year and the list of schools that will be integrated into the program in subsequent school years.
- The annual goals and performance outcomes, specified in law, for participating schools.
- A communication plan for parents and other stakeholders, including local businesses and community members.
- The scope of and timelines for professional development for school instructional and administrative personnel.
- A plan for student progression based on the mastery of content, including mechanisms that determine and ensure that a student has satisfied the requirements for grade-level promotion and content mastery.
- A plan for using technology and digital and blended learning to enhance student achievement and facilitate the competency-based education system.
- The proposed allocation of resources for the pilot program at the school and district levels.
- The recruitment and selection of participating schools.
- The rules to be waived for participating schools to implement the pilot program.⁶

Three of the four eligible school districts and the P.K. Yonge Developmental Research School chose to participate in the pilot program during the 2017-2018 school year.⁷ The Lake County School District participated in the pilot program in 2016-2017, but has chosen to pause its participation in the pilot as of the 2017-2018 school year.⁸

Definition of Credit

For the purposes of requirements for high school graduation, one full credit means a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards, except as otherwise provided through the Credit Acceleration Program.⁹

⁴ Section 1003.4996(1), F.S. The P.K. Yonge Developmental Research School is a public school affiliated with the University of Florida. P.K. Yonge Developmental Research School at the University of Florida, <https://pkyonge.ufl.edu/> (last visited Mar. 5, 2019).

⁵ Section 1003.4996(2), F.S.

⁶ To facilitate innovative practices and to allow local selection of educational methods, the State Board of Education (SBE) may authorize the commissioner to waive, upon the request of a district school board, SBE rules that relate to district school instruction and school operations, except those rules pertaining to civil rights, and student health, safety, and welfare. Section 1001.10(3), F.S. The SBE may authorize the commissioner to grant an additional waiver of rules relating to student progression and the awarding of credits. Section 1003.4996(2)(i), F.S.

⁷ Florida Department of Education, *Competency-Based Education Pilot Program, 2017-18 Annual Report* (June 1, 2018), available at <http://www.fldoe.org/core/fileparse.php/7749/urlt/CBPP-Report.pdf>.

⁸ *Id.* at 11.

⁹ Section 1003.436(1), F.S. The Credit Acceleration Program allows a student to earn high school credit in courses required for high school graduation through passage of an end-of-course assessment, an Advanced Placement Examination, or a College Level Examination Program. Section 1003.4295(3), F.S.

For a district school that has been authorized to implement block scheduling by the district school board, one full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards for purposes of meeting high school graduation requirements.¹⁰

The State Board of Education (SBE) is required to determine the number of postsecondary credit hours earned through dual enrollment¹¹ that satisfy the requirements of a dual enrollment articulation agreement¹² and that equal one full credit of the equivalent high school course.¹³

Middle and High School Grading System

The grading system and interpretation of letter grades used to measure public school student success in grade 6 through grade 12 courses shall be as follows:¹⁴

- Grade “A” equals 90 percent through 100 percent, has a grade point average value of 4, and is defined as “outstanding progress.”
- Grade “B” equals 80 percent through 89 percent, has a grade point average value of 3, and is defined as “above average progress.”
- Grade “C” equals 70 percent through 79 percent, has a grade point average value of 2, and is defined as “average progress.”
- Grade “D” equals 60 percent through 69 percent, has a grade point average value of 1, and is defined as “lowest acceptable progress.”
- Grade “F” equals zero percent through 59 percent, has a grade point average value of zero, and is defined as “failure.”
- Grade “I” equals zero percent, has a grade point average value of zero, and is defined as “incomplete.”

For the purposes of class ranking, district school boards may exercise a weighted grading system.¹⁵

¹⁰ Section 1003.436(1), F.S.

¹¹ The dual enrollment program is the enrollment of an eligible secondary student or home education student in a postsecondary course creditable toward high school completion and a career certificate or an associate or baccalaureate degree. Section 1007.271, F.S.

¹² The dual enrollment articulation agreement between a school district and public postsecondary institution must delineate the high school credit earned for passage of each dual enrollment course. Section 1007.271(21)(f), F.S.

¹³ Section 1003.436(1), F.S. The Commissioner of Education must recommend to the State Board of Education postsecondary courses that meet high school graduation requirements and the number of postsecondary semester credit hours of instruction and equivalent high school credits that are necessary to meet high school graduation requirements. Section 1007.271(9), F.S.

¹⁴ Section 1003.437, F.S.

¹⁵ *Id.* School districts and Florida College System institutions must weigh dual enrollment courses the same as advanced placement, International Baccalaureate, and Advanced International Certificate of Education courses when grade point averages are calculated. Alternative grade calculation systems, alternative grade weighting systems, and information regarding student education options that discriminate against dual enrollment courses are prohibited. Section 1007.271(18), F.S.

Statewide Articulation Agreement

The SBE and the Board of Governors of the State University system are required to enter into a statewide articulation agreement, which must preserve Florida's "2+2" system of articulation, facilitate the seamless articulation of student credit across and among Florida's educational entities, and govern, among other provisions, articulation between secondary and postsecondary education.¹⁶

III. Effect of Proposed Changes:

SB 226 renames the Competency-Based Education Pilot Program as the Mastery-Based Education Pilot Program (mastery-based pilot) and:

- Expands participation in the mastery-based pilot to all school districts.
- Authorizes district school boards participating in the mastery-based pilot to:
 - Determine and award credit based on student's mastery of core content and skills.
 - Use an alternative interpretation of letter grades to measure student success in grades 6-12.
- Requires the statewide articulation agreement to ensure fair and equitable access for high school graduates with mastery-based, nontraditional diplomas and transcripts.

Mastery-Based Education Pilot Program

The bill expands participation in the pilot program to include all public school districts.¹⁷

The bill authorizes that, beginning in the 2019-2020 school year, participating school districts may amend their applications to include alternatives for:

- Awarding credit, which must include a verification of the student's mastery of the applicable course content using rigorous scoring rubrics to evaluate the student's work.
- The interpretation of middle school and high school letter grades, which may substitute the applicable language from the school district's rigorous scoring rubric.

The bill requires that an application that is amended to include such provisions must be approved by the district school board.

Definition of Credit

The bill authorizes district school boards¹⁸ participating in the mastery-based pilot to determine and award credit based on a student's mastery of the core content and skills, consistent with the

¹⁶ Section 1007.23(1), F.S.

¹⁷ Each county is designated as a school district. Art. IX, sec. 4, Fla. Const., and section 1001.30, F.S. For the purposes of funding and educational facilities only, developmental research (laboratory) schools are designated as special school districts. Section 1011.24, F.S. It is unclear if developmental research schools affiliated with Florida Agricultural and Mechanical University, Florida Atlantic University, and Florida State University would be eligible to participate in the mastery-based pilot under section 1003.4996, F.S.

¹⁸ See supra, note 17. It is unclear if the P.K. Yonge Developmental Research School would be included in the authorization in the bill to award credit based on a student's mastery of core content and skills. For a developmental research (laboratory) school, a district school board refers to the president of the university, or the president's designee, only for the purposes of school improvement and accountability. Section 1002.32(10)(b), F.S.

Next Generation Sunshine State Standards,¹⁹ as approved by the district school board. The bill may allow a student to progress more rapidly by completing course competencies without the requirement to meet the minimum hours of instruction.

Middle and High School Grading System

The bill authorizes district school boards²⁰ participating in the mastery-based pilot to use an alternative interpretation of letter grades to measure student success in grade 6 through grade 12.

According to the Department of Education, the use of an alternative interpretation of the letter grade system by school districts that participate in the pilot program may impact students' ability to meet specific minimum grade point average (GPA) requirements, including the following:²¹

- National Collegiate Athletic Association Division I and II scholarships;
- Interscholastic extracurricular activities;
- Bright Futures and other scholarships; and
- Dual enrollment.

Pinellas County, Seminole County, and the P.K. Yonge Developmental Research School have implemented a competency-based education program at the secondary level.²² Participating schools and the laboratory school have implemented standards-based grading²³ in classes, but each has indicated that students continue to receive letter grades in classes and a cumulative GPA based on a 4-point scale.²⁴

Statewide Articulation Agreement

The bill requires the statewide articulation agreement to ensure fair and equitable access for high school graduates with mastery-based, nontraditional diplomas and transcripts. Accordingly, the statewide articulation agreement may likely need to be updated in rule by the State Board of Education and in regulation by the BOG.²⁵ It is unclear, however, what is meant by a nontraditional diploma. Florida awards only a standard diploma based on successful completion

¹⁹ The Next Generation Sunshine State Standards establish the core content of the curricula to be taught in the state and specify the core content knowledge and skills that K-12 public school students are expected to acquire. Standards must be rigorous and relevant and provide for the logical, sequential progression of core curricular content that incrementally increases a student's core content knowledge and skills over time. Section 1003.41(1), F.S.

²⁰ See supra, note 18.

²¹ Department of Education, *2019 Agency Analysis for SB 226* (Jan. 10, 2019), at 4.

²² Florida Department of Education, *Competency-Based Education Pilot Program, 2017-18 Annual Report* (June 1, 2018), available at <http://www.fldoe.org/core/fileparse.php/7749/urlt/CBPP-Report.pdf>, at 5, 7, and 9. Palm Beach County Schools has implemented competency-based education at 64 elementary schools with a focus on math acceleration. *Id.* at 3.

²³ A standards-based grading system organizes evidence of student progress and mastery according to standards associated with a subject within a course: e.g. interpreting data from maps/charts. A traditional grading system organizes evidence of student progress and mastery by types of learning activities: e.g. classwork, homework, assignments. P.K. Yonge Developmental Research School, *What is Standards-Based Grading?*, <https://pk Yonge.ufl.edu/academics/standards-based-grading/> (last visited Mar. 6, 2019).

²⁴ Telephone interviews with Dr. Rita Vasquez, Pinellas County Schools (Feb. 6, 2019), Ms. Christy Gabbard, P.K. Yonge Developmental Research School (Feb. 26, 2019), and Mr. Derek Jensen, Seminole County Schools (Mar. 6, 2019).

²⁵ Department of Education, *2019 Agency Analysis for SB 226* (Jan. 10, 2019), at 5.

of a specified 24 credits, an International Baccalaureate curriculum, or an Advanced International Certificate of Education curriculum.²⁶

The bill takes effect July 1, 2019.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

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.

²⁶ Section 1003.4282(1)(a), F.S.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1003.436, 1003.437, 1003.4996, and 1007.23.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
