

HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

BILL #: CS/CS/HB 445 Military Service Educational Opportunities

SPONSOR(S): Education Committee and PreK-12 Innovation Subcommittee, Sirois, Gregory and others

TIED BILLS: None **IDEN./SIM. BILLS:** CS/CS/CS/SB 662

FINAL HOUSE FLOOR ACTION: 117 Y's

0 N's

GOVERNOR'S ACTION: Approved

SUMMARY ANALYSIS

CS/CS/HB 445 passed the House on March 10, 2020, as CS/CS/CS/SB 662.

School grades are used to measure a school's performance under Florida's statewide accountability system for public schools. The school grade calculation for high schools includes:

- the percentage of students passing statewide, standardized assessments in English language arts (ELA), mathematics, science, and social studies;
- the percentage of students making learning gains in ELA and mathematics;
- the percentage of students in the lowest 25 percent of ELA and mathematics performers who make learning gains;
- the 4-year graduation rate; and
- the percentage of students who were eligible to earn college and career credit through acceleration mechanisms (i.e. Advanced Placement examinations, International Baccalaureate examinations, dual enrollment courses, or Advanced International Certificate of Education examinations, and Career and Professional Education industry certifications).

The U.S. Army Junior Reserve Officers' Training Corps (JROTC) is a character development and citizenship program for youth and currently operates in more than 1,700 public and private high schools, military institutions, and correctional centers throughout the U.S. and overseas.

The Armed Services Vocational Aptitude Battery (ASVAB) is a military enlistment test used to determine if an individual is qualified to enlist in the military and for assignment to an appropriate job in the military. An individual's scores on four of the ASVAB tests (Word Knowledge, Paragraph Comprehension, Arithmetic Reasoning, and Mathematics Knowledge) are combined to compute his or her score on what is referred to as the Armed Forces Qualification Test (AFQT).

The bill revises the school grades calculation for high schools. Beginning with the 2022-2023 school year, a student may be counted toward the college and career acceleration component of the school grades calculation by earning a Category II AFQT score or higher on the ASVAB and at least two credits in JROTC courses from the same branch of the United States Armed Forces.

The bill also requires that a student whose parent is transferred to a military installation within the state be considered a resident for purposes of using controlled open enrollment to enroll in any school district in the state.

The bill does have a fiscal impact. See Fiscal Comments.

The bill was approved by the Governor on June 23, 2020, ch. 2020-75, L.O.F. and will become effective on July 1, 2020.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF CHANGES:

Present Situation

School Grades

School grades are used to measure a school's performance under Florida's statewide accountability system for public schools. A school's grade may include up to eleven components.¹ The base calculation used to determine a school's grade includes: the percentage of eligible students who pass statewide, standardized assessments in English Language Arts (ELA), mathematics, and science; the percentage of student learning gains in ELA and mathematics; and the percentage of students in the lowest 25 percent of ELA and mathematics performers who make learning gains.² Middle and high school grades include additional components for the percentage of students passing statewide, standardized assessments in social studies, acceleration and career readiness, and graduation rates, as applicable.³ Each component is worth up to 100 points in the overall calculation.⁴ School grades are also used to determine whether a school must select or implement a turnaround option⁵ or whether a school is eligible for school recognition funds as appropriated by the Legislature.⁶

A school's grade is calculated by adding the number of points earned for each component together and dividing it by the total number of available points to determine the percentage of points earned.⁷ The school grading scale is as follows:⁸

- "A" = 62 percent of points or greater.
- "B" = 54 percent to 61 percent of points.
- "C" = 41 percent to 53 percent of points.
- "D" = 32 percent to 40 percent of points.
- "F" = 31 percent of points or less.

For high schools, the school's grade includes the following additional components:

- The 4-year high school graduation rate of the school as defined by State Board of Education (SBE) rule.⁹
- The percentage of students who pass the statewide, standardized U.S. History end-of-course assessment, in the graduation cohort.¹⁰
- The percentage of students who earn college credit through Advanced Placement (AP) examinations, International Baccalaureate (IB) examinations, dual enrollment courses, or Advanced International Certificate of Education (AICE) examinations; or who, at any time during high school, earned a Career and Professional Education (CAPE) industry certification identified in SBE rule.¹¹ A student may be included in the acceleration component only once.¹²

¹ See s. 1008.34(3)(b), F.S.; Rule 6A-1.09981(4)(a)-(c), F.A.C.

² *Id.*

³ See Section 1008.34(3)(b)1.i., F.S.; Section 1008.34(3)(b)2.a.-b., F.S.; Rule 6A-1.09981(4)(b), F.A.C.; Rule 6A-1.09981(4)(c), F.A.C.

⁴ Section 1008.34(3)(b)1., F.S.; Section 1008.34(3)(a), F.S. Each school must assess at least 95 percent of its eligible students and receive a school grade based on these components. If a school does not have at least 10 students with complete data for one or more of the components, those components may not be used in calculating the school's grade.

⁵ See s. 1008.33(4), F.S.

⁶ See s. 1008.36, F.S.

⁷ Section 1008.34(3)(c)1., F.S.

⁸ Rule 6A-1.09981(4)(d)3., F.A.C.

⁹ Section 1008.34(3)(b)2.a., F.S.; Rule 6A-1.09981(4)(c)1., F.A.C.

¹⁰ See Section 1008.34(3)(b)1.d., F.S. and Rule 6A-1.09422(4)(f), F.A.C.

¹¹ Section 1008.34(3)(b)2.b., F.S.; Rule 6A-1.09981(4)(c)2., F.A.C.

¹² Rule 6A-1.09981(4)(c)3., F.A.C.

The U.S. Armed Forces Junior Reserve Officers' Training Corps

The U.S. Army Junior Reserve Officers' Training Corps (JROTC) is one of the largest character development and citizenship programs for youth in the world.¹³ The National Defense Act of 1916 established organized JROTC programs at public and private educational institutions. In 1964, Congress expanded the program to require that each military service must have a JROTC program to "instill in students in U.S. secondary educational institutions the values of citizenship, service to the U.S., and personal responsibility and a sense of accomplishment."¹⁴

The U.S. Army's JROTC program currently operates in more than 1,700 public and private high schools, military institutions, and correctional centers throughout the U.S. and overseas.¹⁵ JROTC faculty is led by nearly 4,000 instructors who are retired from active duty, reserve duty, or National Guard Army service. Instructors are trained and qualified in accordance with the National Defense Authorization Act 2007 to teach and mentor approximately 314,000 JROTC students (Cadets) annually.¹⁶

The U.S. Army Cadet Command (USACC) is limited to the current number of 1,709 JROTC programs based on congressionally mandated funding.¹⁷ The USACC cannot have more than the current number of programs, and can only open a new JROTC program when an existing one closes. Congress and the U.S. Department of Defense must allocate more funding to open and sustain more JROTC programs in addition to the current 1,709 JROTC programs.¹⁸

Florida law prohibits a school district from banning any branch of the U.S. Armed Forces or the U.S. Department of Homeland Security from establishing, maintaining, or operating a unit of the JROTC at a public high school in the district.¹⁹ Students must be allowed to enroll in the JROTC at another public high school in the district unless:²⁰

- the student's school offers the JROTC for any branch of the U.S. Armed Forces or U.S. Department of Homeland Security;
- the student does not meet the JROTC minimum enrollment qualifications; or
- scheduling of the student's courses of study does not allow the student to attend the JROTC at another public high school in the district.

The Armed Services Vocational Aptitude Battery

The Armed Services Vocational Aptitude Battery (ASVAB) is a military enlistment test used to determine if an individual is qualified to enlist in the military and for assignment to an appropriate job in the military.²¹ The ASVAB is designed to measure aptitude in four domains: Verbal, Math, Science and Technical, and Spatial.

¹³ U.S. Army JROTC, *Army Junior ROTC Program Overview*, http://www.usarmyjrotc.com/general/program_overview.php (last visited March 13, 2020).

¹⁴ *Id.*; See 10 U.S.C. § 2031

¹⁵ U.S. Army JROTC, *Army Junior ROTC Program Overview*, http://www.usarmyjrotc.com/general/program_overview.php (last visited March 13, 2020).

¹⁶ *Id.*

¹⁷ U.S. Army JROTC, Information Paper, *U.S. Army Cadet Command Order of Merit List for JROTC Units* (January 14, 2020), http://www.usarmyjrotc.com/doc/public/jrotcProgram/establishProg/IP_JROTC_OML_Information_14JAN20.pdf. The USACC is the receiving party for applications to establish new JROTC programs.

¹⁸ *Id.*

¹⁹ Section 1003.451(1), F.S.

²⁰ Section 1003.451(2)(a)1.-3., F.S.

²¹ Official ASVAB, *ASVAB Fact Sheet* (December 2018), https://www.officialasvab.com/docs/asvab_fact_sheet.pdf.

The ASVAB tests include:²²

- General Science;
- Arithmetic Reasoning;
- Word Knowledge;
- Paragraph Comprehension;
- Mathematics Knowledge;
- Electronics Information;
- Auto Information;
- Shop Information;
- Mechanical Comprehension; and
- Assembling Objects.

An individual's scores on four of the ASVAB tests (Word Knowledge, Paragraph Comprehension, Arithmetic Reasoning, and Mathematics Knowledge) are combined to compute his or her score on what is referred to as the Armed Forces Qualification Test (AFQT).²³ The AFQT scores are reported as percentiles between 1 and 99, and are used to determine eligibility for enlistment in each branch of the U.S. Armed Forces. Scores on all of the ASVAB tests are used to determine the most appropriate job for an individual in the military.²⁴ The chart below delineates the AFQT categories in which AFQT score ranges fall under:²⁵

AFQT Category	Score Range
I	93-99
II	65-92
IIIA	50-64
IIIB	31-49
IVA	21-30
IVB	16-20
IVC	10-15
V	1-9

Below are the AFQT scores required for eligibility in each branch of the U.S. Armed Forces:

- Air Force: 31²⁶
- Army: 31²⁷
- Marine Corps: 35²⁸
- Navy: 35²⁹

Students of Military Families

Controlled open enrollment allows a school district to use a parent's indicated preferential educational choice as a significant factor in making student school assignments.³⁰ Each district school board or

²² *Id.*
²³ *Id.*
²⁴ *Id.*
²⁵ Official ASVAB, *Understanding ASVAB Scores*, https://www.officialasvab.com/understand_app.htm (last visited March 13, 2020).
²⁶ U.S. Air Force, *Frequently Asked Questions*, <https://www.airforce.com/frequently-asked-questions/academic/what-are-qualifying-asvab-scores-for-air-force-jobs> (last visited March 13, 2020).
²⁷ U.S. Army, *Learn How To Join*, <https://www.goarmy.com/learn.html> (last visited March 13, 2020).
²⁸ Military.com, *ASVAB Scores and Marine Corps Jobs*, <https://www.military.com/join-armed-forces/asvab/asvab-and-marine-corps-jobs.html> (last visited March 13, 2020).
²⁹ Military.com, *ASVAB Scores and Navy Jobs*, <https://www.military.com/join-armed-forces/asvab-and-navy-mos-jobs.html> (last visited January 29, 2020).
³⁰ Section 1002.31(1), F.S.

charter school must allow a parent from any Florida school district to enroll his or her student in any public school, including charter schools, that has not reached capacity.³¹

A student whose parent is transferred or pending transfer to a military installation within a school district while on active military duty pursuant to an official military order must be considered a resident of the school district for purposes of enrollment when the order is submitted to the school district. The student must also receive preferential treatment in the school district's controlled open enrollment process.³² The Department of Education (DOE) facilitates agreements between the school district and military installation which address strategies to assist students who are the children of active duty military personnel in transitioning to Florida schools.³³

Effect of Proposed Changes

The bill revises the school grades calculation for high schools. Beginning with the 2022-2023 school year, a student may be counted toward the college and career acceleration component of the school grades calculation by earning a Category II AFQT score or higher on the ASVAB and at least two credits in the JROTC credits from the same branch of the United States Armed Forces.

The bill also specifies that a student whose parent is transferred to a military installation within the state must be considered a resident of purposes of using controlled open enrollment to enroll in any school district in the state.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

None.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

³¹ Section 1002.31(2)(a), F.S. The student must not be subject to a current expulsion or suspension. School capacity is subject to the maximum class sizes. *See s. 1003.03, F.S.*

³² Section 1003.05(4), F.S.

³³ Section 1003.05(2), F.S.

D. FISCAL COMMENTS:

High schools that are able to include additional students in the college and career acceleration component of their school grade calculation may earn a higher school grade. If the high school is not already eligible to receive funds from the Florida School Recognition funds, the higher school grade may make the high school eligible for the funds.³⁴ The Florida School Recognition Program funds are annually appropriated in the Florida Education Finance Program and the allocation of the funds are annually adjusted on the number of schools that are eligible.

³⁴ Section 1008.36(4), F.S.