

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 Appropriations Committee on Education

BILL: CS/SB 1430

INTRODUCER: Appropriations Committee on Education and Senator Avila

SUBJECT: Education

DATE: April 20, 2023

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sagues</u>	<u>Bouck</u>	<u>ED</u>	Favorable
2.	<u>Gray</u>	<u>Elwell</u>	<u>AED</u>	Fav/CS
3.	_____	_____	<u>FP</u>	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 1430 adds and revises a number of requirements relating to teacher preparation programs, educator certification, and teacher and administrator professional development.

The bill modifies Florida's teacher preparation programs by:

- Requiring each educator preparation institute (EPI) to include scientifically based reading instruction, content literacy, and mathematical practices for each subject identified on the statement of eligibility or temporary certificate; and requiring EPI candidates to demonstrate competency and participate in field experiences that are relevant to their individual educational plan;
- Expanding initial teacher preparation programs' core curricula to include instructional practices to support effective, research-based assessment and grading practices aligned to the state's academic standards; and
- Separating, and renaming Professional Learning Certification Programs and Professional Education Competency Programs; and providing the State Board of Education with rulemaking authority to establish the criteria for the review and approval of Professional Learning Certification Programs.

The bill modifies teacher training by requiring a system-wide shift from professional development to professional learning by:

- Defining the requirements for professional learning;
- Requiring all inservice activities to meet specific criteria;

- Requiring external professional learning providers to meet specific criteria;
- Authorizing administrators' to visit and observe classroom teachers throughout the year to provide mentorship, training, instructional feedback, or professional learning;
- Requiring the DOE to create a high-quality marketplace to aid in the identification of high-quality programs and resources; and requiring the DOE to review and approve professional learning systems every 5 years.

The bill modifies educator certification requirements by:

- Extending the temporary teaching certificate from 3 years to 5 years and limits the certificate to a one-time, non-renewable issuance; and expands eligibility for temporary certification to candidates who are currently enrolled in a state-approved teacher preparation program and meet certain requirements.
- Requires all personnel under a temporary certificate to demonstrate mastery of general knowledge, rather than just classroom teachers.
- Limits the personnel who must demonstrate professional preparation and education competence to classroom teachers and school administrators.

The bill also includes a number of other provisions relating to K-12 public schools:

- One credit in practical arts required for high school graduation is replaced by one credit in career and technical education.
- The bill adds an additional measure to the school grades formula to include student results on the grade 3, standardized English Language Arts (ELA) assessment.
- To increase access to CAPE certificates or certifications the bill removes the cap of 0.1 FTE earned within the same fiscal year by elementary and middle grades students.
- Provides updates to the Florida Partnership for Minority and Underrepresented Student Achievement, such as including access to the Classical Learning Test.
- Authorizes the Classical Learning Test as an option for districtwide administration for 11th graders.
- Adds Advanced Courses as an articulated acceleration mechanism.
- Adds additional FTE for students earning a specified score on Advanced Courses.
- Provides teacher bonus structure for students passing Advanced Courses.
- The bill expands the schools that may receive funds under the Turnaround School Supplemental Services Allocation, removes the four-year maximum limitation for school eligibility for the program, and specifies the allocation must be based on actual student enrollment from the October FTE survey.
- The Teachers Classroom Supply Assistance Program is amended to require the DOE to administer a competitive procurement through which classroom teachers may purchase classroom materials and supplies.

The bill revises requirements of postsecondary institutions by:

- Requiring the institution under the jurisdiction of the Commission on Education that solicits enrollment to provide in writing certain information to the prospective student.
- Authorizing the commission to examine an investigate affairs related to unfair or deceptive practices.
- Creates s. 1005.11, F.S., Accountability for institution licensed by the Commission for Independent Education.

- Creates s. 1005.335, F.S., Accreditation requirements and programmatic licensure.
- Creates s. 1005.345, F.S., Assurance of financial stability, authorizing the commission to require an institution to provide assurance to financial stability.

The bill appropriates \$600,000 in recurring funds from the Institutional Assessment Trust Fund.

The fiscal impact of the bill is indeterminate, however, the bill may have a significant negative impact on state revenues or expenditures. See Section V.

The bill has an effective date of July 1, 2023.

II. Present Situation:

The Present Situation is presented under Section III, Effect of Proposed Changes.

III. Effect of Proposed Changes:

Teacher Preparation Programs

Present Situation

Teacher preparation programs are accountable for producing individuals with the competencies and skills necessary to achieve the state education goals.¹ State-approved teacher preparation programs are offered by Florida public and private postsecondary institutions, public school districts, and private providers by which candidates for educator certification can, depending on the type of program, demonstrate mastery of general knowledge, professional preparation and education competence, and/or subject area knowledge for purposes of attaining an educator certificate.²

There are various state-approved teacher preparation programs that individuals may use to receive the training needed to attain teaching credentials, including:

- Initial Teacher Preparation programs requiring candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas(s), mastery of general knowledge, and mastery of professional preparation and education competence. Program completers qualify for a professional educator certificate.
- Educator Preparation Institutes (EPis) offering alternative certification programs by postsecondary institutions and qualified private providers for baccalaureate degree holders. These programs provide professional preparation for career-changers and recent college graduates who do not already possess a Professional Educator Certificate and require mastery of general knowledge, mastery of subject area knowledge and mastery of professional preparation and education competence.
- District Professional Development Certification and Education Competency Programs: cohesive competency-based professional preparation certification programs offered by school districts, charter schools, and charter management districts by which the instructional staff

¹ Section 1004.04(1)(b), F.S.

² See Florida Department of Education (DOE), *Educator Preparation*, <https://www.fldoe.org/teaching/preparation/> (last visited Mar.22, 2023). See also rule 6A-5.066, F.A.C.; ss. 1004.04(3)(a) and 1004.85(1), F.S.

can satisfy the mastery of professional preparation and education competence requirements.³ In addition to completing the district program, candidates must demonstrate mastery of general knowledge⁴ and subject area knowledge.⁵

Teacher Preparation Program Uniform Core Curricula

Each candidate enrolled in a teacher preparation program must receive instruction and be assessed on the uniform core curricula in his or her area of program concentration during course work and field experiences. A candidate for certification in a coverage area that includes reading instruction or interventions in kindergarten through grade six must successfully complete all competencies for a reading endorsement.⁶

The SBE must establish, in rule, uniform core curricula for each state-approved teacher preparation program including, but not limited to:

- Candidate instruction and assessment in the Florida Educator Accomplished Practices (FEAP) across content areas;
- The use of state-adopted content standards to guide curricula and instruction;
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students;
- Content literacy and mathematical practices;
- Strategies appropriate for instruction of English language learners;
- Strategies appropriate for instruction of students with disabilities;
- Strategies to differentiate instruction based on student needs;
- Strategies and practices to support evidence-based content aligned to state standards and grading practices;
- Strategies appropriate for the early identification of students in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support; and
- Strategies to support the use of technology in education and distance learning.⁷

In addition, before program completion, each candidate must demonstrate his or her ability to positively impact student learning growth in the candidate's area(s) of program concentration during a prekindergarten through grade 12 field experience and must pass each portion of the Florida Teacher Certification Examination required for a professional certificate in the area(s) of program concentration.⁸

³ Florida DOE, *Educator Preparation*, <http://www.fldoe.org/teaching/preparation> (last visited Mar. 15, 2023). See also rule 6A-5.066, F.A.C.

⁴ See Florida DOE, *General Knowledge*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.shtml> (last visited Mar. 22, 2023).

⁵ Florida DOE, *Subject Area Knowledge*, <https://www.fldoe.org/teaching/certification/general-cert-requirements/subject-area-knowledge.shtml> (last visited Mar. 22, 2023).

⁶ Section 1004.04(2)(c), F.S.

⁷ Section 1004.04(2)(b), F.S.

⁸ Section 1004.04(2)(d), F.S.

Educator Preparation Institutes (EPIs)

Postsecondary institutions that are accredited or approved by the Department of Education (DOE) to award degrees and credits for educator certification may seek approval from the DOE to create EPIs for the purpose of providing all or any of the following:

- Professional development instruction to assist teachers in improving classroom instruction and in meeting certification or recertification requirements;
- Instruction to assist potential and existing substitute teachers in performing their duties;
- Instruction to assist paraprofessionals in meeting education and training requirements;
- Instruction for noneducation baccalaureate degree holders to become certified teachers in order to increase routes to the classroom for mid-career professionals; and
- Instruction and professional development for part-time and full-time non-degreed teachers of career programs.⁹

A private provider that has a proven history of delivering high-quality educator preparation may also seek approval to offer a competency-based certification program. The DOE approval must be based upon evidence provided from other state recipients of the provider's services and data showing the successful performance of completers based upon student achievement.¹⁰

Educator preparation institutes may offer competency-based certification programs specifically designed for non-education major baccalaureate degree holders to enable program participants to meet educator certification. The DOE must approve a certification program if the institute provides evidence of the institute's capacity to implement a competency-based program that includes each of the following:

- Participant instruction and assessment in the Florida Educator Accomplished Practices across content areas.
- The use of state-adopted student content standards to guide curriculum and instruction.
- Scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
- Content literacy and mathematical practices.
- Strategies appropriate for instruction of English language learners.
- Strategies appropriate for instruction of students with disabilities.
- Strategies to differentiate instruction based on student needs.
- Strategies and practices to support evidence-based content aligned to state standards and grading practices.
- Strategies appropriate for the early identification of a student in crisis or experiencing a mental health challenge and the referral of such student to a mental health professional for support.
- Strategies to support the use of technology in education and distance learning.
- An educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification, which is based on an assessment of his or her competency in specified areas.

⁹ Section 1004.85(2)(a), F.S.

¹⁰ Section 1004.85(2)(b), F.S.

- Field experiences appropriate to the certification subject area.
- A certification ombudsman to facilitate the process and procedures required for participants who complete the program to meet any requirements related to the background screening and educator professional or temporary certification.¹¹

Continued program approval is determined by the Commissioner of Education (commissioner) based upon a periodic review of candidate readiness based on passage rates on educator certification examinations and evidence of performance of students in prekindergarten through grade 12 who are assigned to in-field program completers on statewide assessments, results of program completers' annual evaluations, and workforce contributions.¹²

Each approved institute must submit annual performance evaluations to the DOE that measure the effectiveness of the programs, including the pass rates of participants on all examinations required for teacher certification, employment rates, longitudinal retention rates, and satisfaction surveys of employers and program completers. The satisfaction surveys must be designed to measure the sufficient preparation of the educator for the realities of the classroom and the institute's responsiveness to local school districts. These evaluations must be used by the DOE for purposes of continued approval of an EPI's certification program.¹³

Professional Development Certification and Education Competency Programs

School districts, charter schools and charter management organizations may offer a professional development certification program that must be approved by the DOE. The program must include:

- A minimum period of initial preparation before becoming the teacher of record;
- An option to collaborate with other agencies or educational entities for implementation;
- A teacher mentorship and induction component;
- An assessment of teaching performance aligned with the district's personnel evaluation system;
- Professional educational preparation content knowledge which must be included in the mentoring and induction activities;
- Required passing scores on the general knowledge, subject area and the professional education competency test; and
- Completion of all competencies for a reading endorsement for all candidates for certification in coverage areas that include reading instruction or interventions in kindergarten through grade 6.¹⁴

As required by law, the DOE adopted, effective January 1, 2018, standards for the approval of professional development certification programs, including standards for the teacher mentorship and induction component.¹⁵ The standards for the teacher mentorship and induction component must include:¹⁶

¹¹ Section 1004.85(3), F.S.

¹² Section 1004.85(4), F.S.

¹³ Section 1004.85(5), F.S.

¹⁴ Section 1012.56(8)(a)1.-7., F.S.

¹⁵ See rule 6A-5.066, F.A.C.

¹⁶ Section 1012.56(8)(c), F.S.

- Program administration and evaluation;
- Mentor roles, selection, and training;
- Beginning teacher assessment and professional development; and
- Teacher content knowledge and practices aligned to the FEAP.

Each school district, charter school, or charter management organization, wishing to provide a professional preparation and competency program must submit its program, including the teacher mentorship and induction component, to the DOE for approval.

Effect of Proposed Changes

The bill modifies s. 1004.04, F.S., to add strategies and practices to support effective, research based assessment and grading practices aligned to the state's academic standards to the list of uniform core curricula topics that must be included in teacher preparation programs.

The bill modifies s. 1004.85, F.S., to eliminate redundancy in EPI instruction provided to candidates that are already embedded in the FEAP and clarifies that candidates must demonstrate competency and participate in field experiences that are appropriate to his or her individual educational plan at the institute.

The bill requires that all state approved EPI programs cover scientifically based reading instruction, content literacy, and mathematical practices for each subject identified on the participant's statement of status of eligibility or temporary certificate.

The bill requires the SBE to adopt rules for the approval of EPIs, commissioner determination.

In addition, the bill separates, and renames the two alternative certification pathways offered by school districts, charter schools, and charter management organizations: Professional Learning Certification Programs and Professional Education Competency Programs:

- Professional Learning Certification Programs are developed by the DOE and include a teacher mentorship and induction component to ensure candidates receive timely coaching and feedback to improve practice. The bill provides for mentor activities to be routine and requires all professional learning to be in alignment with the professional learning criteria.
- Professional Education Competency Programs are developed by school districts by which members of the instructional staff may demonstrate mastery of professional preparation and educator competence as required by law. Each program must be based on classroom application of the FEAP and instructional performance and, for public schools, must be aligned with the district's evaluation system. The bill authorizes the commissioner to determine the continued approval of programs, based on the DOE's review of performance data, as a part of the periodic review of district professional learning systems.

Educator Certification

Present Situation

In order for a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the DOE.¹⁷ Persons seeking employment at a public school as a school supervisor, principal, teacher, library media specialist, counselor, athletic coach, or in another instructional capacity must be certified.¹⁸ The purpose of certification is to require school-based personnel to “possess the credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools.”¹⁹

To be eligible for an educator certificate, an individual must meet the following eligibility requirements:

- Be at least 18 years of age;
- Sign an affidavit attesting that the applicant will uphold the U.S. and State Constitutions;
- Earn a bachelor’s or higher degree from an accredited institution of higher learning²⁰ or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor’s or higher degree;²¹
- Submit to fingerprinting and background screening and not have a criminal history that requires the applicant’s disqualification from certification or employment;
- Be of good moral character; and
- Be competent and capable of performing the duties, functions, and responsibilities of a teacher.²²

After meeting eligibility requirements, an individual may choose a certification route. The DOE issues three types of educator certificates:

- Professional Certificate: Florida’s highest type of full-time educator certification;²³ valid for 5 years and renewable.²⁴

¹⁷ Sections 1012.55(1) and 1002.33(12)(f), F.S.

¹⁸ Sections 1012.55(1)(b), F.S.

¹⁹ Section 1012.54, F.S.; *see* rule 6A-4.001(1), F.A.C.

²⁰ Section 1012.56(2)(c), F.S.; rule 6A-4.003(1), F.A.C. (approved accrediting agencies); *see also* 34 C.F.R. ss. 602.1-602.50; U.S. Department of Education, *Institutional Accrediting Agencies*, https://www2.ed.gov/admins/finaid/accred/accreditation_pg3.html#RegionalInstitutional (last visited Mar. 15, 2023).

²¹ Section 1012.56(2)(c), F.S.; rule 6A-4.003(2), F.A.C. (criteria for approval of nonaccredited institutions of higher learning). Section 1012.56(2)(c), F.S.

²² Section 1012.56(2)(a)-(f), F.S.

²³ Rule 6A-4.004(3), F.A.C.

²⁴ Section 1012.56(7)(a), F.S.; *see* rule 6A-4.0051(3)(d), F.A.C. (validity period is expressed as 5 years from July 1 of the school fiscal year). The DOE also issues a nonrenewable 5-year professional certificate that allows an applicant with a bachelor’s degree in the area of speech-language impairment to complete a master’s degree in speech-language impairment. Section 1012.56(7)(c), F.S.; rule 6A-4.004(4), F.A.C.

- Temporary Certificate: covers employment in full-time positions for which educator certification is required;²⁵ generally valid for 3 years and nonrenewable.²⁶
- Athletic Coaching Certificate: covers full-time and part-time employment as a public school athletic coach;²⁷ includes two types of athletic coaching certificates – one is valid for 5 years and may be issued for subsequent 5-year periods while the other is valid for 3 years and may be issued only once.²⁸

An applicant seeking a professional certification must:

- Meet the basic eligibility requirements for certification;
- Demonstrate mastery of general knowledge, if the person serves as a classroom teacher;
- Demonstrate mastery of subject area knowledge; and
- Demonstrate mastery of professional preparation and education competence.²⁹

A professional certificate is renewable for successive periods of 5 years³⁰, but may be extended by:

- One year due to serious illness or injury of the applicant or other extraordinary extenuating circumstances; or
- A period of time equal to the active duty status for any person who volunteers or is called into wartime or required peacetime military service.³¹

An applicant seeking a temporary certification must:

- Meet the basic eligibility requirements for certification;³²
- Obtain full-time employment in a position that requires a Florida educator certificate by a school district or private school that has a DOE-approved professional education competence demonstration program;³³ and
- Do one of the following:
 - Demonstrate mastery of subject area knowledge;³⁴ or

²⁵ Rule 6A-4.004(1)(a)2., F.A.C.

²⁶ Section 1012.56(7)(e), F.S. (flush-left provisions at end of subsection; validity period is expressed in school fiscal years); rule 6A-4.004(1)(a), F.A.C. The veteran's pathway to educator certification authorizes a 5 year nonrenewable temporary certificate. Section 1012.56(7)(e)2., F.S. The DOE also issues a nonrenewable temporary certificate, which is valid for 2 years, in the area of speech-language impairment. Sections 1012.56(7)(c), F.S.

²⁷ Section 1012.55(2)(a), F.S.

²⁸ Rule 6A-4.004(5), F.A.C. (validity periods expressed in school fiscal years).

²⁹ Section 1012.56(2), F.S.; Florida DOE, *General Knowledge*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/general-knowledge.shtml> (last visited Mar. 22, 2023) and Florida DOE, *Professional Preparation and Education Competence*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/professional-preparation-edu-competenc.shtml> (last visited Mar.22, 2023).

³⁰ Section 1012.585, F.S.

³¹ Sections 1012.56(7)(a) and 1012.585, F.S.; rule 6A-4.0051(1), F.A.C.

³² Section 1012.56(2)(a)-(f) and (7)(b), F.S.

³³ Section 1012.56(1)(b), F.S.; Rule 6A-4.004(1)(a), F.A.C.

³⁴ Section 1012.56(7)(b), F.S.; Florida DOE, *Subject Area Knowledge* <http://www.fldoe.org/teaching/certification/general-cert-requirements/subject-area-knowledge.shtml> (last visited Mar. 15, 2023).

- Complete the required degree or content courses specified in state board rule for subject area specialization and attain at least a 2.5 grade point average on a 4.0 scale in the subject area courses.³⁵

To qualify for a temporary certificate, an applicant must meet subject area specialization requirements in at least one subject. Each subject area has specific degree or course requirements set in SBE rule,³⁶ and select subject areas including Reading, Speech-Language Impaired, School Counseling, School Psychology, and School Social Work require a master's or specialist degree.³⁷

Generally, a temporary certificate is valid for 3 years and is nonrenewable; however, a temporary certificate for military service members is valid for 5 years, limited to a one-time issuance, and is nonrenewable.

A temporary certificate may be extended by 2 years if the requirements for the professional certificate, other than the general knowledge requirement, have not been met due to serious illness or injury of the applicant, military service by the applicant's spouse, or other extraordinary extenuating circumstances; or, the certificate holder is rated highly effective in the immediate year's performance evaluation or has completed a 2-year mentorship program.³⁸

Renewal of Professional Certificates

A professional certificate must be renewed every 5 years.³⁹ An educator must submit an application,⁴⁰ pay a fee,⁴¹ and earn at least six college credits or 120 inservice points, or a combination of both, during each 5-year validity cycle to renew his or her professional certification. At least three college credits or 60 inservice points must be earned in each subject area for which renewal is sought.

Applicants for renewal of a professional certificate must earn at least one college credit or the equivalent amount of inservice points in the area of instruction for teaching students with disabilities.

For professional certificates with specialization areas that include reading instruction or intervention for students in kindergarten through grade 6 and a beginning validity date on or after July 1, 2020, educators must complete two college credits or the equivalent amount of inservice points in specific reading instruction and intervention strategies for renewal of coverages specified in state board rule.

³⁵ Section 1012.56(2)(c), F.S.

³⁶ Section 1012.56(7)(b), F.S.

³⁷ Florida DOE, Educator Certification, *Certificate Subjects*, <https://www.fldoe.org/teaching/certification/certificate-subjects/#degreed> (last visited Mar. 15, 2023).

³⁸ Section 1012.56(7), F.S. (flush-left provisions at the end of subsection).

³⁹ Section 1012.585(2)(a), F.S.

⁴⁰ Rule 6A-4.0051(3)(c), F.A.C. The DOE processes certification renewals for individuals who are not employed by district school boards. Section 1012.585(1)(b), F.S. District school boards are responsible for processing certificate renewals for school district employees. Section 1012.585(1)(a), F.S.

⁴¹ Rules 6A-4.0051(3)(c) and 6A-4.0012(1)(b)1., F.A.C

Certification in subject areas may also be renewed by earning a passing score on the corresponding Florida-developed subject area test or standardized examination specified in SBE rule. Certification by the National Board for Professional Teaching Standards is deemed to meet certification renewal requirements for the life of the certificate, in the corresponding certification subject area.⁴²

Effect of Proposed Changes

The bill modifies s. 1012.56, F.S., to extend the validity period of a temporary teaching certificates from 3 years to 5 years. Accordingly, the bill removes the authorization for the DOE to extend the validity period of a temporary certificate.

The bill expands eligibility for a temporary teaching certification to candidates who are currently enrolled in a state-approved teacher preparation program, are actively completing the required program field experience or internship at a public school, and can provide documentation of completion of 60 college credits with a minimum cumulative grade point average of 2.5 on a 4.0 scale as provided by one or more accredited institutions of higher learning identified by the DOE, or unaccredited institution identified by the DOE has having a quality bachelor's degree program.

The bill requires all applicants for a professional certificate to demonstrate mastery of general knowledge, instead of only classroom teachers. The bill also limits the personnel who must demonstrate mastery of professional preparation and education competence to classroom teachers and school administrators.

A candidate with a beginning validity date of July 1, 2025, or later seeking to renew a professional certificate in educational leadership must complete a minimum of 1 college credit or 20 inservice points in Florida's educational leadership standards. This provision does not add toward the total 120 required continuing education or inservice training hours currently required by the department.

Professional Development

Traditional professional development is differentiated from professional learning, which is intended to result in system-wide changes in student outcomes. Professional development is usually associated with one-time workshops, seminars, or lectures that are one-size-fits-all. Professional learning is typically interactive, ongoing, and tailored to the needs of educators. This approach encourages educators to take ownership of learning and apply what they've learned in different contexts.⁴³

⁴² Section 1012.585, F.S.; rule 6A-4.0051(1)(c), F.A.C.

⁴³ IES REL Regional Educational Laboratory Program, *Distinguishing Professional Learning from Professional Development*,

https://ies.ed.gov/ncee/edlabs/regions/pacific/blogs/blog2_DistinguishingProfLearning.asp#:~:text=Professional%20development%2C%20which%20%E2%80%9Chappens%20to%E2%80%9D%20teachers%2C%20is%20often,typically%20interactive%2C%20sustained%2C%20and%20customized%20to%20teachers%27%20needs. (last visited Mar. 23, 2023).

Present Situation

Professional Development Systems

Current law requires school districts to develop a professional development system in consultation with classroom teachers, state colleges and universities, business and community representatives, and local education foundations, consortia, and professional organizations.⁴⁴

Among other things, the professional development system must:

- Support and increase the success of educators through collaboratively developed school improvement plans;
- Assist the school community in providing stimulating, scientific research-based educational activities that encourage and motivate students to achieve at the highest levels, and that prepare students for success at subsequent educational levels and the workforce;
- Provide continuous support for all education professionals as well as temporary intervention for education professionals who need improvement in knowledge, skills, and performance; and
- Provide training to teacher mentors as part of professional development certification and education competency programs.⁴⁵

Each school district professional development system must:⁴⁶

- Be reviewed and approved by the DOE.
- Be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students.
- Provide inservice activities coupled with follow up support appropriate to accomplish district-level and school-level improvement goals and standards. The inservice activities for instructional personnel must focus on analysis of student achievement data, ongoing formal and informal assessments of student achievement, identification and use of enhanced and differentiated instructional strategies that emphasize rigor, relevance, and reading in the content areas, enhancement of subject content expertise, integrated use of classroom technology that enhances teaching and learning, classroom management, parent involvement, and school safety.
- Provide inservice activities and support targeted to the individual needs of teachers.
- Include a master inservice plan, or professional learning catalog, that identifies the educational training programs that may generate inservice points toward recertification or add-on certification.⁴⁷ Each district catalog must be updated annually by September 1, must be based on input from teachers and district and school instructional leaders, and must use the latest available student achievement data and research to enhance rigor and relevance in the classroom.⁴⁸
- Include inservice activities for school administrative personnel.

⁴⁴ Section 1012.98(4)(b), F.S.

⁴⁵ Section 1012.98(3), F.S.

⁴⁶ Section 1012.98(4)(b), F.S.

⁴⁷ Section 1012.98(4)(b)5., F.S.; Florida DOE, *Master Inservice Plans*, <http://www.fldoe.org/teaching/professional-dev/master-inservice-plans-mip.stml> (last visited Mar. 23, 2023).

⁴⁸ Section 1012.98(4)(b)5., F.S.

- Provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs.
- Provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs.
- Provide for the continuous evaluation of the quality and effectiveness of professional development programs in order to eliminate ineffective programs and strategies and to expand effective ones.
- For middle grades, emphasize interdisciplinary planning, collaboration, instruction, and alignment of curriculum and instructional materials to the state academic standards.
- Provide training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs.⁴⁹

In addition to improving school district professional development systems, the DOE is required to disseminate research-based professional development methods and programs that have demonstrated success in meeting identified student needs, including a database of exemplary professional development activities, a listing of available professional development resources, training programs, and available assistance.⁵⁰

William Cecil Golden Professional Development Program

The William Cecil Golden Professional Development Program for School Leaders is a collaborative network of state and national professional leadership organizations for school principals. The program is designed to respond to Florida's needs for quality school leadership and support the efforts of school leaders in improving instruction and student achievement and developing and retaining quality teachers. Professional development provided through the program must be based upon the Florida Principal Leadership Standards⁵¹ and other school leadership standards. Goals of the program include support for the professional growth of instructional personnel who provide reading instruction and interventions by training school administrators on classroom observation and teacher evaluation practices aligned to evidence-based reading instruction and intervention strategies.⁵²

Effect of Proposed Changes

The bill modifies ss. 1012.98 and 1012.986, F.S. to make a number of changes to the professional development system, and changes the title to professional learning. The bill defines professional learning as learning that is aligned to the state's standards for effective professional learning, educator practices, and leadership practices; incorporates active learning; is collaborative; provides models; and is sustained and continuous.

⁴⁹ Section 1012.98(4)(b), F.S.

⁵⁰ Section 1012.98(4)(a)1., F.S.

⁵¹ Florida DOE, *The Florida Educational Leadership Standards*, <https://www.fldoe.org/teaching/professional-dev/the-fl-ed-leadership-stands/> (last visited Mar. 16, 2023). Rule 6A-5.080, F.A.C.

⁵² Section 1012.986, F.S.

The bill requires the Division of Law Revision to prepare a reviser's bill to replace references to the term "professional development" with the term "professional learning" throughout the Education Code to ensure an educational system-wide shift from professional development to professional learning.

To increase the quality of educator professional learning activities offered by school districts, charter schools, charter management organizations, and consortiums of private schools to instructional and administrative staff, the bill requires that professional learning activities linked to student learning and professional growth must meet the following criteria:

- For instructional personnel, utilize materials aligned to the state's academic standards.
- For school administrators, utilize materials aligned to the state's educational leadership standards.
- Have clear, defined, and measurable outcomes for both individual inservice activities and multiple day sessions.
- Employ multiple measurement tools for data on teacher growth, participants' use of new knowledge and skills, student learning outcomes, instructional growth outcomes, and leadership growth outcomes, as applicable.
- Utilize active learning and engage participants directly in designing and trying out strategies, providing participants with the opportunity to engage in authentic teaching and leadership experiences.
- Utilize artifacts, interactive activities, and other strategies to provide deeply embedded and highly contextualized professional learning.
- Create opportunities for collaboration.
- Utilize coaching and expert support to involve the sharing of expertise about content and evidence-based practices, focused directly on instructional personnel and school administrator needs.
- Provide opportunities for instructional personnel and school administrators to think about, receive input on, and make changes to practice by facilitating reflection and providing feedback.
- Provide sustained duration with follow up for instructional personnel and school administrators to have adequate time to learn, practice, implement, and reflect upon new strategies that facilitate changes in practice.

The bill specifies that routine meetings for the purposes of information dissemination that do not align to the established criteria are not eligible for inservice points.

The bill includes explicit training for school administrators aligned to the state's leadership standards to address the updated skills required for instructional leadership and effective school management. Furthermore, the bill modifies s. 1012.34, F.S., to authorize school administrators to visit and observe classroom teachers throughout the year to provide mentorship, training, instructional feedback, or professional learning by separating such classroom visits and observations from teacher performance evaluations. To align with this change, the William Cecil Golden Professional Development Program for School Leaders is amended to include instructional coaching as a component to support the professional growth of instructional personnel.

The DOE must create a high-quality professional learning marketplace list on a centralized webpage to aid in the identification of high-quality programs and resources that meet the professional learning criteria and have demonstrated success in meeting student achievement needs.

Additionally, the DOE must establish a calendar to review and approve all professional learning systems every 5 years, by March 1, 2024. Any significant changes to the system made within the 5-year timeframe must be re-submitted to the DOE for review and approval.

The bill establishes requirements to the current authorization for a district school board, charter management organization, or private school consortium to contract with independent entities for professional development and inservice education. The bill authorizes school districts, charter management organizations, and private school consortiums to hire outside professional learning providers to provide inservice training to staff. Contracted external professional learning providers must have three or more years of experience providing professional learning with demonstrable success in instructional or school administrator growth. The school district, charter management organization, or private school consortium must certify that the provider's inservice activities meet the specified professional learning criteria.

To align with SBE rule, the bill renames the "master inservice plan", which lists all inservice activities from all funding sources, as the "professional learning catalog."

Practical Arts Requirement

Present Situation

As a part of the 24 credits required for high school graduation⁵³ a student must complete one credit in fine or performing arts, speech and debate, or practical arts. The practical arts course must incorporate artistic content and techniques of creativity, interpretation, and imagination. Eligible practical arts courses are identified in the Course Code Directory.⁵⁴

Effect of Proposed Changes

The bill modifies s. 1003.4282, F.S., to revise high school graduation requirements by replacing one credit in practical arts with one credit in career and technical education.

Fair Consumer Practice

Present Situation

Each institution that directly or indirectly solicits enrollment for students are required to annually collect and disclose information relating to fair consumer practices. The institutional requirements relating to fair consumer practices include:

- Disclosing to each prospective student a statement of the purpose of the institution, its programs and curricula, description of the facility, status of licensure, policy on fee schedules

⁵³ Section 1003.4282(1)(a), F.S.

⁵⁴ For the 2022-2023 school year, the list of career and technical education courses that are approved to satisfy the practical arts requirement is located at <https://www.fldoe.org/core/fileparse.php/7746/urlt/2223CTECPAGR.pdf>.

including if a student withdraws. These disclosures are to be made in writing at least one week prior to enrollment or collection of tuition.

- Using a reliable method of assessing the student's ability to successfully complete the course, prior to accepting the student into the program.
- Informing the student of financial assistance and obligations for repayment of loans, describe any employment placement services available, and refrain from promising or implying guaranteed placement, market availability or salary amounts.
- Providing prospective and enrolled students accurate information regarding the relationship of its programs to state licensure requirements for practicing related occupations and professions in Florida.
- Ensuring all advertisements are accurate and not misleading.
- Publishing and following an equitable prorated refund policy for all students and following both the federal guidelines regarding the receipt of federal financial assistance and commission rule regarding minimum refund guidelines.
- Following the requirements of state and federal laws requiring annual reporting of crime statistics and physical plant safety.
- Publishing and following procedures for handling student complaints, disciplinary actions and appeals.

Institutions that are required to be licensed by the commission must disclose to prospective students that additional information regarding the institution may be obtained by contacting the commission.⁵⁵

Effect of Proposed Changes

The bill expands upon the provisions of fair consumer practices to include that prior to enrollment, every institution that is under the jurisdiction of the commission as well as those expressly exempt from the jurisdiction of the commission that directly or indirectly solicits enrollment must provide a written disclosure to a student or prospective student, that includes: all fees and costs that will be incurred by a student; the institution's refund policy; any exit examination requirements; and the grade point average required for completion of the student's program or degree. The disclosure must include a statement regarding the scope of accreditation, if applicable. The commission is required to prescribe the format that institutions must use to disclose the required information. The bill requires the person, entity, or institution asserting compliance to bear the burden of demonstrating compliance with fair consumer practices. The commission is responsible for determining compliance with fair consumer practices. The commission has the authority to request additional evidence and conduct further investigations, in addition to any information submitted, as the commission deems necessary.

Licensure of Institutions

Present Situation

All postsecondary institutions under the jurisdiction or purview of the commission must obtain licensure from the commission in order to operate in the state of Florida. The commission is responsible for developing minimum standards by which to evaluate institutions for licensure.

⁵⁵ Section 1005.04, F. S.

These standards must include, at least, the institution's name, financial stability, purpose, administrative organization, admissions and recruitment, educational programs and curricula, retention, completion, career placement, faculty, learning resources, student personnel services, physical plant and facilities, publications and disclosure statements about the status of the institution with respect to professional certification and licensure.

Approved-applicant status may be extended to all institutions that have submitted a complete application for provisional licensure and paid all attendant fees. Institutions granted approved-applicant status may not advertise, offer programs of study, collect tuition or fees, or engage in any other activities not specifically approved by the commission.

When the commission determines that an applicant for initial licensure is in substantial compliance with the licensure standards, provisional licensure is granted for a period not to exceed one year. A provisional license issued for initial licensure may be extended for up to one year. A licensed institution that has undergone a substantive change, as defined by rule, must be granted a provisional license for a set period of time, after which the institution may apply for a different status. A provisional license may include commission-mandated conditions, and all conditions must be met before the institution can be granted a different licensure status.⁵⁶

The commission must ensure, through an investigative process, applicants for licensure meet the specified standards and may issue a licensure delay if this investigative process is not completed within the statutory limits of the Administrative Procedures Act.⁵⁷ Agencies must provide notice of any apparent errors or omissions in an application for licensure within 30 days. The law also prohibits the denial of an application for failure to correct an error or omission if the appropriate 30 day notification is not provided. An application for a license must be approved or denied within 90 days after receipt of a completed application.⁵⁸

Through an investigation, the commission must ensure that applicants for licensure meet all standards. When the investigation is not completed within 90 days and the commission has reason to believe that the applicant does not meet licensure standards, the commission or the commission's executive director may issue a 90-day licensure delay, which must be in writing and sufficient to notify the applicant of the reason for the delay.

An annual license must be granted to an institution holding a provisional license, or seeking a renewal of an annual license, upon demonstrating full compliance with licensure standards. An annual license may be extended for up to 1 year if the institution meets all requirements for an extension

An institution may not conduct a program unless specific authority is granted in its license. A license granted by the commission is not transferable to another institution or to another agent, and an institution's license does not transfer when the institution's ownership changes. A licensed institution must notify the commission prior to a change of ownership or control.

⁵⁶ Section 1005.31, F.S.

⁵⁷ Section 1005.31(6), F.S.

⁵⁸ Section 120.60, F.S.

An independent postsecondary educational institution or any person acting on behalf of such an institution may not publish any advertisement soliciting students or offering a credential before the institution is duly licensed by the commission or while the institution is under an injunction against operating, soliciting students, or offering an educational credential.⁵⁹

Independent postsecondary educational institutions may apply for a license by means of accreditation from the commission if the institution:

- Has operated legally in the state for at least 5 consecutive years;
- Holds institutional accreditation by an accrediting agency evaluated and approved by the commission as having standards substantially equivalent to the commission's licensure standards;
- Has no unresolved complaints or actions in the past 12 months;
- Meets minimum requirements for financial responsibility as determined by the commission; and
- Is a Florida corporation.⁶⁰

An institution that is granted a license by means of accreditation is required to apply for and receive another level of licensure before the institution may offer courses or programs that exceed the scope of level of its accreditation. In addition, institutions granted a license by means of accreditation must comply with the standards of fair consumer practices as established in rule by the commission.

A license by means of accreditation may be denied, placed on probation, or revoked for repeated failure to comply with the requirements in law. Revocation or denial of a license by means of accreditation requires that the institution must immediately obtain an annual license.⁶¹

Effect of Proposed Changes

The bill expands the minimum standards by which the commission must evaluate institutions for licensure to include a retention and completion management plan. In addition, the standard relating to admissions and recruitment must include, but is not limited to, requirements for verification of high school graduation, high school equivalency, or qualifying scores on an ability-to-benefit test.

The commission may require a licensed institution to submit a management plan, prohibit a licensed institution from enrolling new students in the institution or a program of the institution, or limit the number of students in a program at a licensed institution based upon the following factors:

- The institution's performance on the licensure standards or established criteria.
- The placement of the institution or a program of the institution on probation or the imposition of other adverse actions by the commission, an accrediting agency, or other regulatory agency, including the United States Department of Education.
- Similar circumstances that leave the institution unable to meet the needs of students or prospective students.

⁵⁹ Section 1005.31, F.S.

⁶⁰ Section 1005.32(1), F.S.

⁶¹ Section 1005.32, F.S.

The bill establishes accountability requirements for institutions licensed by the commission. The commission must prepare an annual accountability report for the licensed institutions by June 30, 2024, and by April 15 of each year thereafter. The report is required at a minimum to contain, graduation and placement rates for all licensed institutions.

Each licensed institution is required to provide data to the commission in the commission's prescribed format by March 15, 2024 and by November 30 each year thereafter. Placement rates must be determined using a methodology approved by the commission. The commission is required to establish a common set of data definitions for institutional reporting purposes.

The commission is authorized to impose an administrative fine of no more than \$500 when a licensed institution fails to timely submit the required data to the commission. Administrative fines are to be deposited into the Student Protection Fund.

The bill provides the commission the authority to require the licensed institutions to provide institutional, graduate, and student data through reasonable data collection efforts as required or necessitated by statute or rule. The commission may establish by rule, performance benchmarks to identify high-performing institutions licensed by the commission.

The bill specifies that an institution may not conduct a program unless specific authority is granted in its license. All programs must be recognized by the commission, including but not limited to:

- Avocational programs or courses
- Examination preparation or courses
- Contract training programs or courses
- Continuing Education
- Professional development programs or courses.

An institution may provide a contract training program or course without approval if the program or course has a duration less than one year and is not paid for by the students or trainees participating in the program.

The bill requires institutions to obtain institutional accreditation before obtaining approval from the commissioner to offer a prelicensure professional nursing program.

The bill provides the commission authority to require an institution applying for initial licensure to provide an assurance of financial stability, requiring the financial stability to remain in effect until the institution applies for and receives the first annual licensure renewal and demonstrates financial stability. The commission may require the following forms of financial stability:

- Surety cash bond;
- Cash be deposited into an escrow account; or
- An irrevocable letter of credit as an assurance of financial stability.

The form and content of the assurance of financial stability must be approved by the commission and all payments made must be deposited into a separate account within the Institutional Assessment Trust Fund.

The bill specifies that the commission will be paid by assurance of financial stability in an amount sufficient to pay for or subsidize the following costs, as determined by the commission:

- The costs of providing instructors or facilities to complete the training of students enrolled at a licensed institution at the time the institution ceases to operate. This includes, but is not limited to, the costs to the institution associated with reimbursing the Student Protection Fund for expenditures.
- The cost of evaluating, storing and maintaining student records.

The bill provides the commission the authority to adopt rules to implement the section.

Articulated Acceleration

Present Situation

High school students in Florida have a variety of avenues by which they can earn college credit. These opportunities, known as articulated acceleration mechanisms, shorten the time necessary for a student to complete the requirements for a high school diploma and a postsecondary degree. These mechanisms also allow Florida schools to increase the depth of study in a particular subject and expand available curricular options.

Programs that provide high school students with the opportunity to earn college credit include, but are not limited to, dual enrollment and early admission, credit by examination, advanced placement, the International Baccalaureate Program, and the Advanced International Certificate of Education Program. Credit earned through the Florida Virtual School also provides additional opportunities for early graduation and acceleration.

The DOE annually identifies and publishes the minimum scores, maximum credit, and course or courses for which credit is to be awarded for each College Level Examination Program (CLEP) subject examination, College Board Advanced Placement Program examination, Advanced International Certificate of Education examination, International Baccalaureate examination, Excelsior College subject examination, Defense Activity for Non-Traditional Education Support (DANTES) subject standardized test, and Defense Language Proficiency Test (DLPT). In addition, the DOE also identifies courses in the general education core curriculum of each State University System (SUS) and Florida College System (FCS) institution for which credit is to be granted.⁶²

Effect of Proposed Changes

The bill allows Advanced Courses as an articulated acceleration mechanism and requires:

- Advanced Courses must be the enrollment of an eligible secondary student in a secondary course created by a public postsecondary institution that prepares students for an identified assessment.
- Students to earn an identified score on the assessment to receive postsecondary credit.

⁶² Section 1007.27, F.S.

- The SBE and BOG to identify FCS and SUS institutions to develop advanced courses for students in high school; authorizing the DOE to partner with 3rd party testing organizations to develop assessments for such courses.
- The DOE in cooperation with the BOG to issue a specified report on acceleration mechanisms to the Legislature by January 1, 2024.

Florida Partnership for Minority and Underrepresented Student Achievement

Present Situation

The Florida Partnership for Minority and Underrepresented Student Achievement Act was created by Legislature in 2004.⁶³ This intent of this partnership is to ensure every student enrolled in a public secondary school has access to high-quality, rigorous academics, with a focus on advanced courses, specifically in low-performing middle and high schools. The mission of the partnership is to prepare, inspire and connect students to postsecondary success and opportunity with a particular focus on minority and underrepresented students in postsecondary education.

In order to prepare students for postsecondary success and opportunity must provide the administration of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) or the PreACT to all enrolled 10th grade students. Parents are to receive written notice of the test and must include the opportunity to exempt his or her child from taking the PSAT/NMSQT or the PreACT.

The partnership must:

- Provide teacher training and professional development to enable teachers of AP or other advanced course with knowledge and skills to prepare students for success on course examinations.
- Provide middle school teachers and administrators professional development that will enable them to educate middle school students at a level necessary to prepare them to enter high school and participate in advanced courses.
- Provide teacher training materials aligned with the Next Generation Sunshine State Standards.
- Provide assessment of individual strength and weaknesses relating to potential success in AP, advanced courses and readiness for college.
- Provide college entrance exam preparation through a variety of means.
- Consider a way to incorporate FCS institutions in the mission of preparing all students for postsecondary success.
- Provide information to students, parents, teachers, counselors, administrators, FCS institutions and SUS of PSAT/NMSQT or PreACT dates and times, participation, value of tests, and other pertinent information.
- Work with the Department to provide information to the schools about partnership activities, opportunities and priorities.⁶⁴

⁶³ Ch. 2004-63, ss 1, Laws of Florida

⁶⁴ Section 1007.35, F.S.

Effect of Proposed Changes

The bill defines advanced courses to include Advanced placement (AP), International Baccalaureate (IB), Advanced International Certificate of Education (AICE) courses, dual enrollment and other advanced courses.

The bill requires the partnership to consider ways to partner with colleges and universities to develop courses and provide teacher training. The bill also requires the DOE to include access to the Classical Learning Test and advanced courses data for specified evaluation processes.

School Grades

Present Situation

School grades are used to explain a school's performance in a familiar, easy-to-understand manner for parents and the public.⁶⁵ School grades are also used to determine whether a school must select or implement a turnaround option.⁶⁶

Schools are graded using one of the following grades:

- “A” for schools making excellent progress – 62 percent or higher of total points.
- “B” for schools making above average progress – 54 percent to 61 percent of total points.
- “C” for schools making satisfactory progress – 41 percent to 53 percent of total points.
- “D” for schools making less than satisfactory progress – 32 percent to 40 percent of total points.
- “F” for schools failing to make adequate progress – 31 percent or less of total points.⁶⁷

Each school that earns a grade of “A” or improves at least two letter grades may have greater authority over the allocation of the school's total budget generated from the Florida Education Finance Program (FEFP), state categorical, lottery funds, grants, and local funds.⁶⁸

Each school must assess at least 95 percent of its eligible students. Each school must receive a school grade based on the school's performance on the following components, each worth 100 points. The percentage of eligible students:

- Passing statewide, standardized assessments in ELA;
- Passing statewide, standardized assessments in mathematics;
- Passing statewide, standardized assessments in science;
- Passing statewide, standardized assessments in social studies;
- Who make Learning Gains in ELA as measured by statewide, standardized assessments;
- Who make Learning Gains in mathematics as measured by statewide, standardized assessments;

⁶⁵ Section 1008.34(1), F.S. If there are fewer than 10 eligible students with data for a component, the component is not included in the calculation. Section 1008.34(3)(a), F.S.

⁶⁶ Section 1008.33(4), F.S.

⁶⁷ Section 1008.34(2), F.S.; rule 6A-1.09981(4)(d), F.A.C.

⁶⁸ Section 1008.34(2), F.S. (Flush-left provision).

- In the lowest 25 percent in ELA, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized ELA assessments;
- In the lowest 25 percent in mathematics, as identified by prior year performance on statewide, standardized assessments, who make Learning Gains as measured by statewide, standardized Mathematics assessments; and
- Passing high school level statewide, standardized end-of-course assessments or attaining national industry certifications identified in the CAPE Industry Certification Funding List pursuant to state board rule, for schools comprised of middle grades 6 through 8 or grades 7 and 8.

For a school comprised of grades 9, 10, 11, and 12, or grades 10, 11, and 12, the school's grade is based on additional components, including graduation rate and acceleration credit earned, each worth 100 points:⁶⁹

Effect of Proposed Changes

The bill modifies s. 1008.34, F.S., to specify an additional measure is added to the school grades formula to include the percentage of eligible students who earn an achievement level 3 or higher on the grade 3, standardized ELA assessment. Therefore, for schools with a grade 3, the school grade will include both a component with aggregated ELA scores, and a separate component for grade 3 ELA results.

The bill also modifies this statute to include the percentage of students who were eligible to earn college and career credit through Advanced Courses as a way to measure the school's grade.

Nationally Recognized High School Assessments

Present Situation

Each school district, subject to appropriation, is required to select either the SAT or the ACT for districtwide administration for each student in 11th grade. This includes those attending public high schools, alternative schools, and Department of Juvenile Justice educational programs.⁷⁰

Effect of Proposed Change

The bill modifies statute to include the Classical Learning Test (CLT) as an option for districtwide administration for 11th grade students. Currently, Florida has 11 postsecondary institutions that accept the CLT.⁷¹

Florida Bright Futures Scholarship Program

The Florida Bright Futures Scholarship Program is a lottery-funded scholarship program for Florida high school graduates who merit high academic achievement and enroll in a degree, certificate, or applied technology program at an eligible Florida public or private postsecondary

⁶⁹ Section 1008.34(3), F.S.

⁷⁰ Section 1008.22

⁷¹ CLT, *Find a Partner College* available at <https://www.cltexam.com/colleges/> (last visited April 18, 2023)

education institution. There are four awards through the Florida Bright Futures Scholarship program, including the Florida Academic Scholarship (FAS), the Florida Medallion Scholarship (FMS), the Florida Gold Seal CAPE Scholarship, and the Florida Gold Seal Scholarship.⁷²

In order for a Florida high school student to qualify for the FAS award or the FMS award must meet all of the following initial eligibility requirements:

- Graduate from a Florida public high school with a standard high school diploma, graduate from a registered Florida DOE private high school, earn a GED, complete a home education program, graduate from a non-Florida high school if specific conditions are met.
- Complete required high school coursework.
- Achieve the required minimum high school grade point average (GPA).
- Achieve the minimum score on either the ACT or SAT college entrance exam by June 30 of high school graduation year.
- Complete the required number of volunteer service **or** 100 paid work hours.
- Submit a Florida Financial Aid Application no later than August 31, after high school graduation.⁷³

Currently, the Classic Learning Test (CLT) is a college entrance exam that offers assessments that evaluate English, grammar, and mathematical skills, providing a comprehensive measure of achievement and aptitude. The CLT Exams emphasize foundational critical thinking skills and are accessible to students from a variety of educational backgrounds.⁷⁴ Florida has 11 postsecondary institutions that accept the CLT.⁷⁵

Effect of the Proposed Changes

The bill expands eligible assessments students may take to earn a Florida Academic Scholars award and a Florida Medallion Scholars award, under the Bright Futures Scholarship program, adding the Classical Learning Test (CLT). Requiring the ACT and CLT scores to be made concordant to the required SAT scores using the latest published national concordance table developed jointly by the College Board, ACT, Inc., and Classical Learning Initiatives.

Turnaround School Supplemental Services Allocation

Present Situation

The Turnaround School Supplemental Services Allocation provides additional funding to schools identified in Florida's school improvement and education accountability system so that they may offer services designed to improve the overall academic and community welfare of the schools' students and their families. Eligible schools include those which are district-managed turnaround schools, schools that earn three consecutive grades below a "C", and schools that have improved to a "C" and are no longer in turnaround status. Services may include, but are not limited to, tutorial and after-school programs, student counseling, nutrition education, parental counseling, and an extended school day and school year. In addition, services may include models that

⁷² Section 1009.53, F.S.

⁷³ Florida Student Financial Aid, *Florida Bright Futures Student Handbook* (2022), available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf> at 3.

⁷⁴ CLT, *What is the Classic Learning Test (CLT)?* available at <https://www.cltexam.com/> (last visited April 18, 2023).

⁷⁵ CLT, *Find a Partner College* available at <https://www.cltexam.com/colleges/> (last visited April 18, 2023)

develop a culture that encourages students to complete high school and to attend college or career training, set high academic expectations, and inspire character development.

Subject to legislative appropriation, a school remains eligible for the allocation for a maximum of 4 continuous fiscal years while implementing a turnaround option, and a school that improves to a grade of “C” or higher remains eligible to receive the allocation for a maximum of 2 continuous fiscal years after exiting turnaround status.⁷⁶

Effect of Proposed Changes

The bill modifies s. 1011.62, F.S., to expand the Turnaround School Supplemental Services Allocation to include all turnaround schools and schools that implemented a turnaround plan and exited turnaround status by earning a school grade of "C" or higher. The funds will be used to provide services designed to improve the overall academic and community welfare of the schools' students and families. To allow for better school budgeting and planning the allocation is based on actual student enrollment from the October FTE survey, rather than adjusting with each FEFP calculation. The bill also removes the four year maximum limitation for school eligibility for the program, allowing schools to remain eligible for the duration of their time while implementing a turnaround plan.

Florida Teachers Classroom Supply Assistance Program

Present Situation

The Florida Teachers Classroom Supply Assistance Program (Program), previously known as the Florida Teachers Lead Program,⁷⁷ was established in 1997 to provide eligible classroom teachers⁷⁸ with funds to purchase classroom materials and supplies to supplement materials and supplies otherwise available to the teachers.⁷⁹ The funds are appropriated annually in the General Appropriations Act and allocated to each district by July 15 based on each district's proportionate share of the state's total unweighted FTE student enrollment. Program funds may not be used to purchase equipment.

District school boards must calculate an identical amount for each classroom teacher who is estimated to be employed by the school district or a charter school in the district on September 1. If, by July 1, the district determines the number of classroom teachers, then the district and each charter school board may provide each teacher his or her proportionate share of program funds by August 1 of that year. All eligible teachers must be provided their proportionate share no later than September 30. A job-share classroom teacher may receive a prorated share of the funds provided to a full-time classroom teacher.

Teachers must sign a statement acknowledging receipt of the funds, keep receipts for no less than four years to demonstrate compliance with expenditure requirements, and return any unused funds to the district school board at the end of the school year. Funds returned to the district must

⁷⁶ Section 1011.62(17), F.S.

⁷⁷ The program was renamed in 2013 by CS/CS/SB 1664, ch. 2013-185, s. 10, , Laws of Fla.

⁷⁸ Section 1012.71(1), F.S.

⁷⁹ Ch. 97-384, s. 18, Laws of Fla.

be deposited into the school advisory council account of the school at which the classroom teacher was employed when the teacher received the funds or deposited into the Program account of the school district in which the charter school is sponsored.

The DOE and district school boards may, and are encouraged to, enter into public-private partnerships in order to increase the total amount of the Florida Teachers Classroom Supply Assistance Program funds available to classroom teachers.⁸⁰

Effect of Proposed Changes

The bill modifies s. 1012.71, F.S., to amend the Florida Teachers Classroom Supply Assistance Program. The bill replaces the distribution of Program funds to teachers with a competitive procurement administered by the DOE through which classroom teachers may purchase classroom materials and supplies. By September 1 of each year, each school district must submit the following to the DOE:

- The identical amount per classroom teacher calculated, including the proportionate share of the identical amount if a classroom teacher is a job-share classroom teacher;
- The name of each eligible classroom teacher;
- The name and master school identification number of the school in which the classroom teacher is assigned; and
- Any other information necessary for the administration of the program, as determined by the DOE.

Accordingly, the bill removes the requirement for a teacher to sign an acknowledgment of receipt of funds. Funds are distributed to school districts to be credited to teachers for use under the Program. Unused funds must be deposited into the school advisory council account of the school where the teacher worked at the time the funds were made available. If the school does not have a school advisory council, the funds must be used to purchase classroom materials and supplies at the discretion of the principal.

Florida Education Finance Program

Present Situation

The FEFP allocates funds to each school district based on student enrollment.⁸¹ The FEFP uses a unit of measure for each student called a full-time equivalent (FTE). One FTE equals one school year of instruction provided to a student.⁸² Districts may earn additional FTE for students who meet qualifying student attainment metrics in specific bonus FTE programs or courses.⁸³

⁸⁰ Section 1012.71, F.S.

⁸¹ See s. 1011.62(1)(d)1., F.S.

⁸² Section 1011.61(1)(a), F.S.

⁸³ Section 1011.62(1), F.S. Bonus FTE programs include Advanced Placement exams, College Board AP Capstone Diploma, International Baccalaureate exams, International Baccalaureate Diploma, Advanced International Certificate of Education exams, Advanced International Certification of Education diploma, Career and Professional Education, and Early High School Graduation. *Id.*

A value of 0.025 FTE is calculated for Career and Professional Education (CAPE) digital tool certificates earned by students in elementary and middle school.⁸⁴ Additional FTE membership for an elementary or middle grades student may not exceed 0.1 for certificates or certifications earned within the same fiscal year.⁸⁵

Effect of Proposed Changes

The bill removes the cap of 0.1 FTE for CAPE certificates or certifications earned within the same fiscal year by elementary and middle grades students, allowing students to generate additional FTE for all courses completed successfully.

Beginning in the 2025-2026 school year, the bill adds additional full-time membership of 0.16 FTE for students earning a minimum score on the assessment for Advanced Courses. Requiring each district to allocate at least 80 percent of the funds provided to the district for Advanced Courses instruction, to the high school that generates the funds. The district shall distribute bonuses as follows to each classroom teacher who provided Advanced Course instruction:

- A bonus amount of \$50 for each student taught by the teacher in each Advanced Course who receives a minimum score on the Advanced Course assessment.
- An additional bonus of \$500 to each advanced Courses teacher in a school designated with a grade of “D” or “F” who has at least one student scoring a minimum score on an assessment, regardless of the number of courses taught or the number of students who earn a minimum score on the Advanced Course Assessment.

Bonuses awarded under this section are in addition to any regular wage or other bonus the teacher received or is scheduled to receive.

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.

⁸⁴ The Florida DOE, *2022-23 Funding for Florida School Districts (2022)* available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/fefpdist.pdf> at 19.

⁸⁵ Section 1011.61(1)(o)1.b., F.S.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The fiscal impact of this bill is indeterminate. The bill may have a significant negative fiscal impact on state revenues or expenditures associated with removing the additional full-time equivalent membership (FTE) cap on elementary and middle school CAPE industry certifications and removing the 4 year maximum eligibility for the Turnaround School Supplemental Services Allocation.

Additional fiscal impacts from the bill includes the expansion of bright futures to include the CLT scores, teacher bonus funding for students passing advanced courses and the additional full-time membership of 0.16 FTE for students earning a specified score on Advanced Courses.

There may be an additional fiscal impact to create a professional learning marketplace and calendar, as well as approving and reviewing learning systems every 5 years. The bill also requires procurement for teachers to purchase materials and supplies.

School districts could receive additional funding associated with removing the additional FTE cap on elementary and middle school CAPE industry certifications through the Florida Education Finance Program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1002.42, 1002.45, 1003.4282, 1004.04, 1004.85, 1005.04, 1005.22, 1002.31, 1007.27, 1007.35, 1008.22, 1008.34, 1009.531, 1011.62, 1012.34, 1012.56, 1012.57, 1012.575, 1012.585, 1012.586, 1012.71, 1012.98, and 1012.986.

The bill creates the following sections of Florida Statutes: 1005.11, 1005.335, and 1005.345.

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 Appropriations Committee on Education on April 18, 2023:

The committee substitute modifies the provision of the bill authorizing a credit in career and technical education to satisfy a required credit for a standard high school diploma by removing the limitation that the credit be available only to freshmen entering in the 2023-2024 cohort and thereafter.

The committee substitute modifies provisions related to the Fair consumer practices for intuitions under the jurisdiction of the Commission of Independent Education (commission) by:

- Requiring each institution that solicits for enrollment to prior to enrollment, provide a written disclosure of all fees and costs the will be incurred by the student, specified academic requirements, and a statement regarding the scope of accreditation.
- Providing that the burden of demonstrating compliance is upon the person, entity, or institution, and that determining compliance is the responsibility of the commission.
- Authorizing the commission to examine and investigate affairs related to unfair or deceptive practices.
- Providing specification for standards relating to admissions and recruitment and authorizing the commission to require a licensed institution to submit a specified management plan.
- Creating s. 1005.11, F.S., accountability for institution licensed by the Commission for Independent Education and:
 - Requires the commission to prepare a specified annual accountability report for licensed institutions by specified dates.
 - Requires each licensed institution to provide specified data to the commission by specified dates.
 - Authorizes the commission to impose an administration find of not more than \$500 per incident when a licensed institution fails to timely submit required data.
 - Authorizes the commission to develop standards relating to admission and recruitment of students and provides authority to the commission to require a licensed institution to take specified action based upon the institution's performance.
 - Authorizes the commission to identify licensed high-performing institutions.

The committee substitute creates s. 1005.335, F.S., accreditation requirements and programmatic licensure, and specifies that an institution:

- May not conduct a program unless specific authority is granted in its license, however a training program less than 1 year and is not paid by student is exempt from this requirement; and

- Must obtain institutional accreditation prior to obtaining approval from the commission to offer a prelicensure professional nursing program.

The committee substitute creates s. 1005.345, F.S., assurance of financial stability and authorizes the commission to require an institution to provide assurance to financial stability as specified.

The committee substitute appropriates a sum of \$600,000 in recurring funds from the Institutional Assessment Trust Fund to implement ss. 1003.45, 1005.31, 1005.335, F.S.

The committee substitute adds Advanced Courses as an articulated acceleration mechanism and requires that:

- Advanced Courses must be the enrollment of an eligible secondary student in a secondary course created by a public postsecondary institution that prepares student for an identified assessment.
- Students to earn an identified score on the assessment to receive postsecondary credit.
- The SBE and BOG to identify FCS and SUS institutions to develop advanced courses for students in high school and authorizing the DOE to partner with 3rd party testing organizations to develop assessments for such courses.
- The DOE in cooperation with the BOG to issue a specified report on acceleration mechanisms to the Legislature by Jan. 1, 2024

Under the Florida Partnership for Minority and Underrepresented Student Achievement, the committee substitute:

- Defines advanced courses to include AP, IB, AICE, Dual Enrollment, and other Advanced Courses identified.
- Requires the partnership to consider ways to partner with colleges and universities to develop courses and provide teacher training.
- Requires the DOE to include access to the Classical Learning Test and advanced courses data for specified evaluation processes.

The committee substitute includes advanced courses to the nationally developed comprehensive exams that the commissioner may select for use as EOC assessments, includes advanced courses, as a school grade component and an assessment option for the Bright Futures Scholarship Program (BFSP).

The committee substitute authorizes the Classical Learning Test (CLT) as an option for districtwide administration for 11th grade students. The commissioner must also identify concordant scores for the CLT exam to meet graduation requirements. The committee substitute adds the CLT as an assessment option for the BFSP.

Funding related modifications include:

- Removing the cap of 0.1 FTE earned within the same fiscal year by elementary and middle grades students for specified certificates or certifications.
- Adding additional full-time membership of .16 FTE for students earning a specified score on Advanced Courses, similar to current AP additional funding provisions.

- Providing teacher bonus structure for students passing Advanced Courses and specifies that such bonuses are in addition to regular teacher compensation.

B. Amendments:

None.

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