

**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.)

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Prepared By: The Professional Staff of the Committee on Appropriations

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BILL: SB 7038

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

SUBJECT: Education

DATE: January 30, 2024

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Heather Gray</u>	<u>Bouck</u> <u>Sadberry</u>	<u>AP</u>	<b>ED Submitted as Committee Bill</b> <b>Pre-meeting</b>

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## I. Summary:

SB 7038 expands the focus of the New Worlds Reading Initiative to include mathematics and rebrands it as the New Worlds Learning Initiative. The bill enhances the New World Learning Initiative (NWLI) by:

- Establishing the New Worlds Tutoring Program to support school districts and schools in improving student achievement in reading and mathematics.
- Expanding the eligibility for the New Worlds Scholarship Accounts to include Voluntary Prekindergarten (VPK) students.
- Clarifying student eligibility for supports under the NWLI as identified in student progress monitoring.
- Providing a mechanism for parents to use the New Worlds Scholarship Account to make direct purchases of qualifying expenditures.

The bill takes effect July 1, 2024.

## II. Present Situation:

### New Worlds Reading Initiative

In 2021, the Florida Legislature created the New Worlds Reading Initiative (NWRI), Florida's first statewide book distribution program, to provide at-home literacy supports for students identified with a substantial reading deficiency or students who scored below a Level 3 on the preceding year's statewide, standardized English Language Arts (ELA) assessment.<sup>1</sup> To improve the literacy skills of students in prekindergarten through grade 12, the NWRI consists of:

- The program to provide high-quality, free books to students in prekindergarten through grade 5 who:
  - Are not yet reading on grade level;

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<sup>1</sup> Section 1003.485(2), F.S.

- Have a substantial reading deficiency in reading or the characteristics of dyslexia based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations;<sup>2</sup>
- Have a substantial deficiency in early literacy skills based upon the results of the coordinated screening and process monitoring (CSPM); or
- Scored below a Level 3 on the preceding year's statewide, standardized English Language Arts assessment.
- The New Worlds Scholarship Program.
- The New Worlds Scholar Program, which rewards high school students who instill a love of reading and improve the literacy skills of students in kindergarten through grade 3.
- The micro-credential program, which emphasizes strong core instruction and a tiered model of reading interventions for struggling readers.<sup>3</sup>

### ***Department of Education Responsibilities***

To facilitate the NWRI, the Department of Education (DOE) is required to designate an administrator to implement the initiative and to receive funding. The administrator is required to be a state university registered with the DOE as an eligible nonprofit scholarship-funding organization.<sup>4</sup> In addition, the administrator must have an academic innovation institution with extensive experience in:

- Conducting academic research in early literacy instruction.
- Implementing online delivery of early learning and literacy training for educators nationally.
- Developing online support materials that assist parents and caregivers in developing early literacy skills.
- Conducting fundraising and public awareness campaigns to support the development and growth of evidence-based educational initiatives that support learning at home and in schools.<sup>5</sup>

### ***The Lastinger Center for Learning***

The Lastinger Center for Learning at the University of Florida is the designated administrator of the NWRI.<sup>6</sup> As the administrator, the Lastinger Center for Learning is required to administer the early literacy micro-credential program. The micro-credential curriculum is required to be designed specifically for instructional personnel in prekindergarten through grade 3 based upon the strategies and techniques to address the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including oral communication, knowledge of print and letters, phonological and phonemic awareness, vocabulary and comprehension development, and foundational background knowledge designed to correlate with the content that students will encounter in grades K-12, consistent with the evidence-based content and strategies grounded in the science of reading.<sup>7</sup>

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<sup>2</sup> Section 1008.25(5), F.S.

<sup>3</sup> Section 1003.485(2), F.S.

<sup>4</sup> Section 1003.485(1), F.S. Section 1002.395(15), F.S., establishes eligibility for a university to serve as a scholarship funding organization.

<sup>5</sup> Section 1003.485(3)(a), F.S.

<sup>6</sup> UF Lastinger Center for Learning, *About: History*, <https://lastinger.center.ufl.edu/about/> (last visited Jan. 26, 2024).

<sup>7</sup> Sections 1003.485(4) and 1002.59(1), F.S.

The Lastinger Center for Learning has developed three micro-credentials, known as the Flamingo Literacy Micro-Credentials, which are a hybrid model of online modules, instructor-supported online courses, and job-embedded practicum. All three credentials are designed so they can be completed in four months.<sup>8</sup>

The application for the micro-credential became available in January 2023 and as of December 31, 2023, 2,838 individuals have completed the emergent micro-credential, 934 completed the elementary micro-credential, and 185 completed the secondary micro-credential. Also, 791 Voluntary Prekindergarten Program (VPK) personnel completed either the emergent or elementary literacy micro-credential.<sup>9</sup>

The administrator is required to annually submit to the DOE an annual financial report that includes, at a minimum, the amount of eligible contributions received by the administrator; the amount spent by the administrator on all of the activities required by the NWRI, including administrative expenses; and the number of students and households served under the NWRI.<sup>10</sup>

In 2022 the New Worlds Reading Initiative served all 67 Florida counties, 2,387 schools, and 165,672 students with over two million books shipped. Over \$7.6 million was raised in tax credit donations.<sup>11</sup> Beginning with the 2023-2024 school year, VPK students were included in the program, and over 3,500 have already been approved to receive books.<sup>12</sup>

### ***Tax Credits***

Under the NWRI, businesses that make monetary donations to the administrator may receive a dollar-for-dollar credit against liabilities for:

- Corporate income tax.<sup>13</sup>
- Insurance premium tax.<sup>14</sup>
- Severance taxes on oil and gas production.<sup>15</sup>
- Alcoholic beverage tax on beer, wine, and spirits.<sup>16</sup>
- Self-accrued sales tax liability of direct pay permit holders.<sup>17</sup>

The tax credit cap amount was \$10 million for the 2021-2022 state fiscal year, \$30 million for the 2022-2023 state fiscal year, and is \$60 million in each state fiscal year thereafter.<sup>18</sup>

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<sup>8</sup> UF, Lastinger Center for Learning, *Flamingo Literacy Micro-Credentials*, <https://lastinger.center.ufl.edu/work/literacy/flamingo-literacy/literacy-microcredentials/> (last visited Jan. 26, 2024).

<sup>9</sup> Email, Florida Department of Education (Jan. 8, 2024) (on file with Senate Committee on Education Pre-K-12).

<sup>10</sup> Section 1003.485(4), F.S.

<sup>11</sup> University of Florida, Lastinger Center for Learning, 2022 Annual Report (2022), available at [https://lastinger.center.ufl.edu/wp-content/uploads/2023/03/LC-Annual-Report-2022\\_web-2.pdf](https://lastinger.center.ufl.edu/wp-content/uploads/2023/03/LC-Annual-Report-2022_web-2.pdf).

<sup>12</sup> Email, Lastinger Center for Learning, External Affairs and Communication (Jan. 8, 2024) (on file with Senate Committee on Education Pre-K-12).

<sup>13</sup> Section 220.1876, F.S.

<sup>14</sup> Section 624.51056, F.S.

<sup>15</sup> Section 211.0252, F.S.

<sup>16</sup> Section 561.1212, F.S.

<sup>17</sup> Section 212.1833, F.S.

<sup>18</sup> Section 1003.485(5), F.S.

### ***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.<sup>19</sup>

### **Coordinated Screening and Progress Monitoring**

To facilitate timely interventions and supports for students in prekindergarten through grade 10, VPK providers and public schools in Florida are required to participate in a coordinated screening and progress monitoring system (CSPM) for students in VPK through grade 8 for mathematics and VPK through grade 10 in ELA. The CSPM tool is administered three times each school year and is required to:

- Measure student progress in meeting the appropriate expectations in early literacy and mathematic skills and in English Language Arts and mathematic standards.
- For students in VPK to grade 3 measure student performance in oral language development, phonological and phonemic awareness, knowledge of print and letters, decoding, fluency, vocabulary, and comprehension, as applicable by grade level.
- Be valid, reliable, and developmentally appropriate computer-adaptive that identifies students who have a substantial deficiency in reading, including identifying students with characteristics of dyslexia.
- Provide data that can be used for VPK Program accountability requirements.
- Provide VPK program providers, school districts, schools and teachers with data and resources that enhance differentiated instruction and parental communication.
- Provide baseline data to the DOE of each student's readiness for kindergarten.
- Assess how well educational goals and curricular standards are met at the provider, school, district, and state levels and provide information to the DOE to aid in the development of educational programs, policies, and supports for providers, districts, and schools.
- Provide results from the first two administrations of the CSPM to a student's teacher within one week and to the student's parent within two weeks of the administration of the CSPM.<sup>20</sup>

### **New Worlds Scholarship Accounts**

The New Worlds Scholarship Accounts provide educational options for students enrolled in kindergarten through grade 5 on a first-come, first-served basis, who have a substantial deficiency in reading or math or exhibits characteristics of dyslexia or dyscalculia, as assessed by the CSPM, or who scored below a Level 3 on the statewide, standardized ELA or Mathematics assessment in the prior school year. An eligible student who is classified as an English Language

<sup>19</sup> 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.](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 Jan. 26, 2024).

<sup>20</sup> Section 1008.25(9), F.S.

Learner and is enrolled in a program or receives services that are specifically designed to meet the instructional needs of such students is given priority for the scholarship.<sup>21</sup> For the 2023-2024 school year, the amount of the scholarship is \$500 per eligible student.<sup>22</sup>

An eligible nonprofit scholarship-funding organization participating in the Florida Tax Credit Scholarship Program<sup>23</sup> may establish scholarship accounts for eligible students.<sup>24</sup> For an eligible student to receive a scholarship account, the student's parent must:

- Submit an application to an eligible nonprofit scholarship-funding organization by the deadline established by such organization; and
- Submit eligible expenses to the eligible nonprofit scholarship-funding organization for reimbursement of qualifying expenditures.<sup>25</sup>

Qualifying expenditures include:

- Instructional materials.
- Curriculum.
- Tuition and fees for part-time tutoring services provided by a person who holds a valid Florida educator's certificate, a person who holds a baccalaureate or graduate degree in the subject area, a person who holds an adjunct teaching certificate, or a person who has demonstrated a mastery of subject area knowledge.
- Fees for summer education programs designed to improve reading, literacy, or mathematics skills.
- Fees for after-school education programs designed to improve reading, literacy, or mathematics skills.<sup>26</sup>

By September 30 of each year, the school district is required to notify the parent of each eligible student of the process to request and receive a scholarship.<sup>27</sup> The eligible nonprofit scholarship-funding organization may develop a system for payment of scholarship funds by funds transfer, including, but not limited to, debit cards, electronic payment cards, or any other means of payment that the DOE deems to be commercially viable or cost-effective.<sup>28</sup>

A student's scholarship award may not be reduced for debit card or electronic payment fees. Commodities or services related to the development of such a system must be procured by competitive solicitation unless they are purchased from a state term contract. Payment of the scholarship shall be made by the eligible nonprofit scholarship-funding organization no less frequently than on a quarterly basis.<sup>29</sup>

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<sup>21</sup> Section 1002.411(2), F.S.

<sup>22</sup> Florida Department of Education, *New Worlds Reading Scholarship Accounts*, <https://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/reading/> (last visited Jan. 26, 2024).

<sup>23</sup> Section 1002.395, F.S.

<sup>24</sup> Section 1002.411(4), F.S.

<sup>25</sup> Section 1002.411(3), F.S.

<sup>26</sup> *Id.*

<sup>27</sup> Section 1002.411(6), F.S.

<sup>28</sup> Section 1002.411(7), F.S.

<sup>29</sup> *Id.* State term contracts must meet the requirements in s. 287.056, F.S.

### III. Effect of Proposed Changes:

This bill expands the focus of the New Worlds Reading Initiative to include mathematics and rebrands it as the New Worlds Learning Initiative. The bill enhances the New World Learning Initiative (NWLI) by:

- Establishing the New Worlds Tutoring Program to support school districts and schools in improving student achievement in reading and mathematics.
- Expanding the eligibility for the New Worlds Scholarship Accounts to include Voluntary Prekindergarten (VPK) students.
- Clarifying student eligibility for supports under the NWLI as identified in student progress monitoring.
- Providing a mechanism for parents to use the New Worlds Scholarship Account to make direct purchases of qualifying expenditures.

#### **New Worlds Learning Initiative**

The bill modifies s. 1003.485, F.S., to rebrand the New Worlds Reading Initiative as the New Worlds Learning Initiative. The bill creates within the New Worlds Learning Initiative the New Worlds Tutoring Program to support school districts and schools in improving student achievement in reading and mathematics.

#### ***Department of Education Responsibilities***

The bill modifies the responsibilities of the Department of Education (DOE) to:

- Remove the requirement for DOE to designate an administrator to implement the New Worlds initiative and to receive funding.
- Require the DOE to provide the administrator with progress-monitoring data for all eligible students in prekindergarten through grade 12 within 30 days after the close of each progress-monitoring period.

#### ***Lastinger Center for Learning***

The bill specifies that the University of Florida Lastinger Center for Learning is the administrator of the New Worlds Learning Initiative. The bill adds to the required annual financial report from the administrator the number of micro-credentials and reading endorsements earned, a breakdown of students households served under each component of the New Worlds Learning Initiative, and the means by which additional literacy or mathematics support was provided to students.

The bill expands the early literacy micro-credential to include attention to early mathematics skills. Specifically, the bill:

- Establishes the micro-credential program as the New Worlds micro-credential program.
- Adds best practices for mathematics instruction to the science of reading in the definition of the micro-credential that must include evidence-based professional learning activities that are competency-based, personalized, and on-demand.
- Expands the emphasis of the micro-credential program beyond strong core instruction and a tiered model of reading interventions for struggling readers to include interventions for students to improve in reading or mathematics.

The bill requires the New Worlds Learning Initiative administrator to administer the New Worlds Tutoring Program. Under the bill, the administrator is required to:

- Establish a process by which district school boards may apply to receive grant funds or additional services to support the implementation of tutoring programs in their respective districts.
- Contingent upon available funds, establish agreements with each participating district school board to provide program funds or direct services for additional literacy or mathematics support to, at a minimum, prekindergarten through grade 5 students enrolled in a public school who have a substantial deficiency in reading or mathematics.
- Provide best practice science of reading guidelines for school districts in consultation with the Just Read, Florida! Office.
- Provide technical assistance and recommend professional learning to school districts.
- Assist school districts in reviewing tutoring programs, professional learning programs, curriculum, and resources to ensure they adhere to the science of reading or best practices in mathematics.
- Provide an annual report to the President of the Senate, the Speaker of the House of Representatives, and the DOE summarizing district school board use of the program funds and known student outcomes as a result of participating in the New Worlds Tutoring Program.

The bill also requires the administrator to establish minimum standards that a district school board must meet in order to participate and receive program funds. At a minimum, these standards are required to address:

- Appropriate group sizes, the frequency and duration, and staffing qualifications for tutoring sessions;
- The use of ongoing, informal, and formal assessments to target instructional interventions; and
- Prioritization strategies for tutoring students within participating districts.

The bill authorizes district school boards to use program funds for:

- Stipends for in-person or virtual tutors during the school day, before and after school, or during a summer program;
- Licenses for computerized or automated literacy tutoring software that provides each student with real-time interventions that are based in science of reading principles or mathematics instructional best practices and are individually tailored to the needs and ability of each student;
- Professional learning for tutors participating in the program; or
- Curriculum, resources, and high quality materials necessary to implement explicit and systematic instructional strategies for tutoring.

### ***New Worlds Book Distribution***

The bill specifies that identification of an eligible prekindergarten through grade 5 student is based on the most recent, rather than preceding year's, performance on the statewide, standardized English Language Arts (ELA) assessment.

***Tax Credits***

The bill modifies ss. 211.0252, 212.1833, 220.1876, 561.1212, and 624.51056, F.S., to reflect the renaming of the New Worlds Reading Initiative as the New Worlds Learning Initiative.

***Professional Learning***

The bill also changes references to “professional development” to “professional learning” as it relates to the New Worlds Learning Initiative.

**New Worlds Scholarship Accounts**

The bill amends s. 1002.411, F.S., to modify eligibility for the New Worlds Scholarship Accounts, the responsibilities of parents and students, district school board, and VPK providers, and account funding and payments.

The bill adds as eligible for a New Worlds Scholarship Account students who:

- Are enrolled in the Voluntary Prekindergarten (VPK) program.
- Exhibit a substantial deficiency in early literacy or early math skills based on the most recent administration of the Coordinated Screening and Progress Monitoring (CSPM) tool.

The bill also modifies eligibility for students who are eligible as a result of scoring below a Level 3 on the statewide, standardized ELA or Mathematics assessment in the prior school year to provide that a student is eligible if the student scored below a Level 3 on the most recent statewide ELA or Mathematics assessment. Subject to available funding, this may allow a student to begin receiving the benefits of a New Worlds Scholarship Account in the same school year in which the student scores below a Level 3, instead of waiting until the next school year.

The bill authorizes the administrator, which must be an eligible scholarship funding organization, to develop a system that permits eligible students to use program funds to make direct purchases of qualifying expenditures. The bill also authorizes parents to use the administrator’s system to make direct purchases of materials or services. These modifications may streamline a parent’s ability to utilize the New Worlds Scholarship Account.

The bill expands the part-time tutoring services that qualify as eligible expenditures under New Worlds Scholarship Accounts. The bill provides that part-time tutoring services are qualifying expenditures if the services are provided by a person who has earned an early literacy or mathematics micro-credential, or, for a prekindergarten student, a person who has earned:

- A child development associate credential issued by the National Credentialing Program of the Council for Professional Recognition or a credential approved by the Department of Children and Families as being equivalent to or greater than the child development associate credential;
- A bachelor's or higher degree in early childhood education, prekindergarten or primary education, preschool education, or family and consumer science; or
- A bachelor's or higher degree in elementary education, if the prekindergarten instructor has been certified to teach children any age from birth through 6th grade, regardless of whether the instructor's educator certificate is current, and if the instructor is not ineligible to teach in a public school because his or her educator certificate is suspended or revoked.



The bill specifies that the requirement for a school district to notify the parent of each eligible student of the process to request and receive a scholarship applies when providing the results of the CSPM. The bill requires private VPK providers to also provide the notification to parents.

The bill also modifies s. 1008.25, F.S., to extend to VPK instructors the benefit of the requirement to receive notice from the CSPM system of the results from the first two administrations of the progress monitoring within 1 week and to the student's parent within two weeks after the administration of the CSPM.

The bill takes effect July 1, 2024.

#### **IV. Constitutional Issues:**

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

#### **V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The provisions of the bill implementing provisions of the New Worlds Learning Initiative are subject to legislative appropriation.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 211.0252, 212.1833, 220.1876, 561.1212, 624.51056, 1002.411, 1003.485, and 1008.25.

**IX. Additional Information:**

**A. Committee Substitute – Statement of Changes:**

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

None.

**B. Amendments:**

None.