

# FLORIDA HOUSE OF REPRESENTATIVES BILL ANALYSIS

*This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.*

**BILL #:** [CS/HB 1079](#)

**COMPANION BILL:** [CS/SB 1402](#) (Yarborough)

**TITLE:** Students Enrolled in Dropout Retrieval Programs

**LINKED BILLS:** None

**SPONSOR(S):** Botana

**RELATED BILLS:** None

## Committee References

[Education Administration](#)

15 Y, 0 N, As CS



[PreK-12 Budget](#)



[Education & Employment](#)

## SUMMARY

### Effect of the Bill:

The bill defines a dropout retrieval program as serving students who have officially withdrawn from high school before graduation and who are not engaged in the education system at the time of enrollment in the program. The bill requires a dropout retrieval program to choose to receive a school grade or a school improvement rating. The bill authorizes virtual instruction program (VIP) providers to choose to receive a school improvement rating in lieu of a school grade for each district with which it contracts and requires that the school improvement rating be based on the assessment scores of all students served within the school district. Finally, the bill exempts a VIP exclusively serving as a dropout retrieval program from receiving a district grade.

### Fiscal or Economic Impact:

None

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## ANALYSIS

### **EFFECT OF THE BILL:**

The bill defines a [dropout retrieval program](#) as serving students who have officially withdrawn from high school before graduation and who are not engaged in the education system at the time of enrollment in the program. The bill requires a dropout retrieval program to choose to receive a school grade or a school improvement rating. (Section [2](#)).

The bill authorizes a [virtual instruction program](#) (VIP) provider to choose to receive a [school improvement rating](#) instead of a [school grade](#) for each district with which it contracts and requires that the school improvement rating be based on the assessment scores of all students served within the school district rather than all students served by the provider statewide. Finally, the bill exempts a VIP exclusively serving as a dropout retrieval program from receiving a district grade based upon the assessment scores of all students served by the provider statewide. (Section [1](#)).

The effective date for the bill is July 1, 2025. (Section [3](#)).

### **RULEMAKING:**

Current law requires the State Board of Education (SBE) to adopt rules to administer VIPs and dropout prevention and academic intervention programs. The bill modifies provisions of law already under the SBE's rulemaking authority, thus allowing the SBE to make rules to implement the bill.

*Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.*

**STORAGE NAME:** h1079a.EAS

**DATE:** 3/20/2025

## RELEVANT INFORMATION

### SUBJECT OVERVIEW:

#### [Dropout Prevention and Academic Intervention](#)

Dropout prevention and academic intervention programs differ from traditional educational programs and schools in scheduling, administrative structure, philosophy, curriculum, or setting and must employ alternative teaching methodologies, curricula, learning activities, and diagnostic and assessment procedures in order to meet the needs, interests, abilities, and talents of eligible students. Dropout prevention and academic intervention are required to provide curricula, character development and law education, and related services that support the program goals and lead to improved performance in the areas of academic achievement, attendance, and discipline.<sup>1</sup> Educational alternative programs, disciplinary programs, dropout retrieval programs, alternative to expulsion programs, teenage parent programs, and city and county jail programs are considered dropout prevention programs.<sup>2</sup>

Dropout retrieval programs are designed for students who have officially dropped out of school, re-enrolled, and are persevering towards graduation with a primary focus on credit recovery and career planning. In the 2023-2024 school year, 3,095 students at all grade levels participated in a dropout retrieval program and the outcome data for students in dropout retrieval programs reveal the following:<sup>3</sup>

- 530 (42.6 percent) of 1,244 students in grade 12 graduated with a high school diploma.
- 177 (6.3 percent) of 2,810 students in grades 9-12 dropped out of school.
- 1,851 (59.8 percent) of 3,095 students were promoted to a higher grade.
- 1,825 (59 percent) of 3,095 students missed 10 percent or more school days.
- No students were suspended for more than 10 days or expelled.

#### [Virtual Instruction Programs](#)

A VIP is a program of instruction provided in an interactive learning environment created through technology in which students are separated from their teachers by time or space, or both.<sup>4</sup> Florida law establishes a variety of options to make virtual instruction accessible to K-12 students. These options include:

- Full-time or part-time enrollment in a school district VIP.<sup>5</sup>
- Full-time enrollment in a virtual charter school.<sup>6</sup>
- Enrollment in individual virtual courses offered by school districts and approved by the Department of Education (DOE).<sup>7</sup>
- Full-time and part-time enrollment in Florida Virtual Schools (FLVS) or school district FLVS franchises.<sup>8</sup>

The VIP providers that are approved by the DOE must meet the following requirements:<sup>9</sup>

- Align virtual course curriculum and course content to the state academic standards.
- Offer instruction that is designed to enable a student to gain proficiency in each virtual instruction course of study.
- Provide each student enrolled in the VIP with all the necessary instructional materials.
- Provide each full-time student enrolled in the VIP who qualifies for free or reduced-price school lunches and who does not have a computer or internet access in his or her home with the equipment necessary for participants in the VIP.

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<sup>1</sup> Section [1003.53\(1\)\(a\), F.S.](#)

<sup>2</sup> Florida Department of Education, *Dropout Prevention and Academic Intervention Programs 2023-2024 Annual Report*, available at <https://www.fldoe.org/file/5576/2324DropoutPreventReport.pdf>.

<sup>3</sup> *Id.*

<sup>4</sup> Section [1002.45\(1\)\(a\)3., F.S.](#)

<sup>5</sup> Section [1002.45, F.S.](#)

<sup>6</sup> Sections [1002.33\(1\)](#) and [1002.45\(1\)\(d\), F.S.](#)

<sup>7</sup> Section [1003.498, F.S.](#)

<sup>8</sup> Section [1002.45\(2\)\(a\), F.S.](#); see also Florida Department of Education, *List of Approved Program and Course Providers*, [List of Approved Program and Course Providers](#) (last visited Mar. 17, 2025).

<sup>9</sup> Section [1002.45\(3\), F.S.](#)

Accel Schools East, Connections Education of Florida, LLC, FLVS, Graduation Alliance, Imagine Learning, K12 Florida, Mater Virtual Academy, Optima Academy Online, and Somerset Virtual Academy are the current DOE-approved statewide VIP programs.<sup>10</sup>

Each approved VIP must participate in the statewide assessment program and receive a school grade or school improvement rating.<sup>11</sup> Each statewide VIP provider's school improvement rating or school grade is based on the aggregated assessment scores of all students served by the provider statewide. Additionally, each approved VIP provider receives a district grade based upon the aggregated assessment scores of all students served by the VIP statewide and a separate school grade for each school district with which it contracts based upon the assessment scores of all students served within the school district.<sup>12</sup>

### School Grades

School grades are used to explain a school's performance in a familiar, easy-to-understand manner for parents and the public.<sup>13</sup> School grades are also used to determine whether a school must select or implement a turnaround option<sup>14</sup> or whether a school is eligible for school recognition funds as appropriated by the Legislature.<sup>15</sup>

Elementary, middle and high schools each share a basic model for determining school grades, based on the percentage of total points earned by a school for each component in the model. Middle and high school models include additional components beyond the basic model. Combination school models include the additional components for the grades served (*e.g.*, a school serving grades kindergarten through 12 would include the additional components for the middle and high school models). Each school must receive a school grade based on the school's performance in the following components:<sup>16</sup>

- The percentage of eligible students passing statewide, standardized assessments in English Language Arts (ELA), mathematics, science, and social studies.
- The percentage of eligible students who make learning gains in ELA and mathematics as measured by statewide, standardized assessments.
- The percentage of eligible students in the lowest 25 percent in ELA and mathematics, as identified by prior year performance on statewide, standardized assessments, who make learning gains as measured by statewide, standardized assessments.
- For schools comprised of grade levels that include grade 3, the percentage of eligible students who score an achievement level 3 or higher on the grade 3 statewide, standardized ELA assessment.
- For schools comprised of middle grades 6 through 8 or grades 7 and 8, the percentage of eligible students 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 of Education rule.<sup>17</sup>

For a school comprised of grades 9-12, or 10-12, the school's grade also includes the following components:<sup>18</sup>

- The 4-year high school graduation rate of the school.
- The percentage of students who were eligible to earn college and career credit in a specified acceleration mechanism, who earn a specified industry certification, or who participate in Junior Reserve Officers' Training Corps courses and earn a qualifying score on the Armed Services Vocational Aptitude Battery.

Student performance data for eligible students attending alternative schools that provide dropout prevention and academic intervention services is required to be included in the calculation of the student's home school's grade.<sup>19</sup>

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<sup>10</sup> Florida Department of Education, *List of Approved Program and Course Providers*, available at [List of Approved Program and Course Providers](#) (last visited Mar. 17, 2025).

<sup>11</sup> Section [1002.45\(7\)\(a\), F.S.](#)

<sup>12</sup> Section [1002.45\(7\)\(a\)2., F.S.](#)

<sup>13</sup> Section [1008.34\(1\), F.S.](#)

<sup>14</sup> Section [1008.33\(4\), F.S.](#)

<sup>15</sup> Section [1008.36, F.S.](#)

<sup>16</sup> Section [1008.34\(3\)\(b\), F.S.](#)

<sup>17</sup> Section [1008.34\(3\), F.S.](#); *see also* r. 6A-1.09981(4)(a)-(c), F.A.C.

<sup>18</sup> Section [1008.34\(3\)\(b\), F.S.](#)

<sup>19</sup> Section [1008.34\(3\)\(d\)1., F.S.](#)

[School Improvement Ratings for Alternative Schools](#)

An alternative school, for the purposes of school accountability, is a school that provides dropout prevention and academic intervention services. An alternative school may choose to receive a school improvement rating or a school grade. School improvement ratings are calculated using student learning gains on statewide, standardized ELA and mathematics assessments for all eligible students who are enrolled in the school and who have assessment scores or comparable scores for the preceding school year.<sup>20</sup> Schools that improve their ratings by at least one level or maintain a “commendable” rating are eligible for school recognition awards.<sup>21</sup> The school improvement rating identifies an alternative school as having one of the following ratings:<sup>22</sup>

- Commendable: a significant percentage of the students attending the school are making learning gains.
- Maintaining: a sufficient percentage of the students attending the school are making learning gains.
- Unsatisfactory: an insufficient percentage of the students attending the school are making learning gains.

**RECENT LEGISLATION:**

YEAR	BILL #	HOUSE SPONSOR(S)	SENATE SPONSOR	OTHER INFORMATION
2022	<a href="#">CS/HB 5101</a>	Fine	Appropriations	The bill passed the House, died in the Senate, and provisions were included in SB 2524, which took effect on July 1, 2022.

**BILL HISTORY**

COMMITTEE REFERENCE	ACTION	DATE	STAFF DIRECTOR/ POLICY CHIEF	ANALYSIS PREPARED BY
<a href="#">Education Administration Subcommittee</a>	15 Y, 0 N, As CS	3/19/2025	Sleap	Blalock
THE CHANGES ADOPTED BY THE COMMITTEE:	<ul style="list-style-type: none"> <li>• Moves the proposed definition for dropout retrieval program from the virtual instruction program (VIP) section of statute to the dropout prevention and academic intervention section of statute.</li> <li>• Authorizes a dropout retrieval program to choose to receive a school grade or a school improvement rating.</li> <li>• Removes a provision excluding student performance data for students in a dropout retrieval program from the calculation of their home school's grade.</li> <li>• Specifies that when a VIP program receives a school improvement rating, the rating is based on the assessment scores of the students it serves districtwide rather than statewide.</li> </ul>			
<a href="#">PreK-12 Budget Subcommittee</a>				
<a href="#">Education &amp; Employment Committee</a>				

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**THIS BILL ANALYSIS HAS BEEN UPDATED TO INCORPORATE ALL OF THE CHANGES DESCRIBED ABOVE.**  
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<sup>20</sup> Section [1008.341\(3\), F.S.](#)

<sup>21</sup> Section [1008.341\(2\), F.S.](#) (flush left provisions at the end of the subsection).

<sup>22</sup> Section [1008.341\(2\)\(a\)-\(c\), F.S.](#)

