

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Education Pre-K -12

BILL: SB 1402

INTRODUCER: Senator Yarborough

SUBJECT: Students Enrolled in Dropout Retrieval Programs

DATE: March 14, 2025

REVISED: _____

| | ANALYST | STAFF DIRECTOR | REFERENCE | ACTION |
|----|----------|----------------|-----------|--------------------|
| 1. | Palazesi | Bouck | ED | Pre-meeting |
| 2. | | | AED | |
| 3. | | | FP | |

I. Summary:

SB 1402 defines dropout retrieval programs as programs that serve students who have officially withdrawn from high school and were not engaged in the education system at the time of enrollment in the dropout retrieval program.

The bill authorizes virtual instruction providers who are designated as a dropout retrieval program to choose a school improvement rating in lieu of a school grade. The bill also excludes dropout retrieval students' performance data from the student's home school's grade calculation.

This act takes effect July 1, 2025.

II. Present Situation:

Virtual Instruction Programs

A virtual instruction program (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.¹ 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 virtual instruction program;²
- Full-time enrollment in a virtual charter school;³
- Enrollment in individual virtual courses offered by school districts and approved by the Department of Education (DOE);⁴ and

¹ Section 1002.45(1)(a)3., F.S.

² Section 1002.45, F.S.

³ Sections 1002.33(1) and 1002.45(1)(d), F.S.

⁴ Section 1003.498, F.S.

- Full-time and part-time enrollment in Florida Virtual Schools (FLVS) or school district FLVS franchises.⁵

The VIP providers that are approved by the DOE must meet the following requirements:⁶

- 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 virtual instruction program with all the necessary instructional materials.
- Provide each full-time student enrolled in the virtual instruction program 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 virtual instruction program.

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.⁷

Each approved VIP must participate in the statewide assessment program and receive a school grade or school improvement rating.⁸ 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 virtual instruction program 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.⁹

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.¹⁰ Educational alternative programs, disciplinary programs, dropout

⁵ Section 1002.45(2)(a), F.S.; see also Florida Department of Education, List of Approved Program and Course Providers, <https://www.fldoe.org/schools/school-choice/virtual-edu/provider-resources/approved-providers/> (last visited March 11, 2025).

⁶ Section 1002.45(3) F.S.

⁷ Florida Department of Education, *List of Approved Program and Course Providers*, available at <https://www.fldoe.org/schools/school-choice/virtual-edu/provider-resources/approved-providers/> (last visited March 11, 2025).

⁸ Section 1002.45(7)(a)1.2., F.S.

⁹ Section 1002.45(7)(a)2., F.S.

¹⁰ Section 1003.53(1)(a), F.S.

retrieval programs, alternative to expulsion programs, teenage parent programs, and city and county jail programs are considered dropout prevention programs.¹¹

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.¹² 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:¹³

- 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; and
- No students were suspended for more than ten days or expelled.

School Grades

School grades are used to explain a school's performance in a familiar, easy-to-understand manner for parents and the public.¹⁴ School grades are also used to determine whether a school must select or implement a turnaround option¹⁵ or whether a school is eligible for school recognition funds as appropriated by the Legislature.¹⁶

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 k-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:¹⁷

- The percentage of eligible students passing statewide, standardized assessments in 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 ELA 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.

¹¹ Florida Department of Education, *Dropout Prevention and Academic Intervention Programs 2023-2024 Annual Report*, available at <https://www.fldoe.org/file/5576/2324DropoutPreventReport.pdf>.

¹² *Id.*

¹³ Florida Department of Education, *Dropout Prevention and Academic Intervention Programs 2023-2024 Annual Report*, available at <https://www.fldoe.org/file/5576/2324DropoutPreventReport.pdf>.

¹⁴ Section 1008.34(1), F.S.

¹⁵ Section 1008.33(4), F.S.

¹⁶ Section 1008.36, F.S.

¹⁷ Section 1008.34(3)(b), F.S.

- 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 SBE rule.¹⁸

For a school comprised of grades 9-12, or 10-12, the school's grade includes the following components:¹⁹

- 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.

The data of students attending alternative schools, students designated as hospital or homebound, and students who transfer to a private school are factored into a school grade as follows:²⁰

- The student performance data for eligible students attending alternative schools that provide dropout prevention and academic intervention services are required to be included in the calculation of the student's home school's grade.
- Student performance data for students designated as hospital or homebound is assigned to their home school for the purposes of school grades.
- A high school must include a student in its graduation rate if the student transfers from the high school to a private school with which the school district has a contractual relationship.

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 English language arts and Math assessments for all eligible students who are enrolled in the school and who have assessment scores or comparable scores for the preceding school year.²¹ Schools that improve their ratings by at least one level or maintain a "commendable" rating are eligible for school recognition awards.²² The school improvement rating identifies an alternative school as having one of the following ratings:²³

- **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.

¹⁸ Section 1008.34(3), F.S.; *See also* Rule 6A-1.09981(4)(a)-(c), F.A.C.

¹⁹ Section 1008.34(3)(b), F.S.

²⁰ Section 1008.34(3)(d), F.S.

²¹ Section 1008.341(3), F.S.

²² Section 1008.341(2), F.S. (flush left provisions at the end of the subsection).

²³ Section 1008.341(2)(a)-(c), F.S.

III. Effect of Proposed Changes:

SB 1402 amends section 1002.45, F.S., to define a dropout retrieval program as a program serving students who have officially withdrawn from high school before graduation and were not engaged in the education system at the time of enrollment. The bill also authorizes a virtual instruction provider that only serves students in a dropout retrieval program to elect to receive a school improvement rating instead of a school grade

The bill also amends s. 1008.34, F.S., to specify that the performance data for students enrolled in a dropout retrieval program, who have officially withdrawn from high school before graduation and were not engaged in the education system at the time of enrollment, will not be included in the calculation of their home school's grade.

This act takes effect July 1, 2025.

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:

This bill does not have a fiscal impact on state revenues or expenditures.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends sections 1002.45 and 1008.34 of the Florida Statutes.

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.