

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 1365 Competency-Based Education Pilot Program

SPONSOR(S): Rodrigues

TIED BILLS: **IDEN./SIM. BILLS:** SB 1714

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) Choice & Innovation Subcommittee		Dehmer	Healy
2) Education Appropriations Subcommittee			
3) Education Committee			

SUMMARY ANALYSIS

The bill creates the Competency-Based Education Pilot Program within the Department of Education to provide an educational environment that allows students to progress based upon the mastery of concepts and skills. The bill provides a participating district exemption from statutory requirements and State Board of Education rules related to student progression and the awarding of credits. Applications to participate are limited to the P.K. Yonge Developmental Research School and the Lake and Pinellas County school districts.

The bill:

- Requires the Department of Education to develop an application; post specific information on its website; provide districts with on-demand access to statewide standardized assessments; and provide an annual report to the Legislature.
- Outlines minimum provisions that must be included in the application.
- Requires school districts to provide: a finalized plan for student progression and any accompanying schedules; calendars for all students and instruction and administrative personnel; and an annual report on the activities and accomplishments of the school district.

The state could incur expenses related to the requirement for the Department of Education to provide participants with on-demand access to statewide, standardized assessments. *See Fiscal Comments.*

The bill takes effect July 1, 2016.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. EFFECT OF PROPOSED CHANGES:

Present Situation

Student Progression Plan

Each school district is required to establish a comprehensive student progression plan that provides for a student's progression from one grade to another based on the student's mastery of the Next Generation Sunshine State Standards, specifically English Language Arts (ELA), mathematics, science, and social studies standards.¹ The plan must, among other things:

- Include criteria emphasizing student reading proficiency in kindergarten through grade 3 and provide targeted instructional support for students with identified deficiencies. High schools must use all available assessment results to advise students of any deficiencies and provide appropriate postsecondary preparatory instruction;²
- List student eligibility and procedural requirements established by the school district for whole-grade promotion, midyear promotion, and subject-matter acceleration;³
- Advise parents and students of the Academically Challenging Curriculum to Enhance Learning (ACCEL)⁴ options;⁵
- Advise parents and students of early graduation options;⁶
- List all dual enrollment course contained in the dual enrollment articulation agreement.⁷

Current law requires a student who does not score Level 3 or above on the statewide, standardized ELA assessment, statewide, standardized mathematics assessment, or the Algebra I end-of-course (EOC) assessment to be evaluated to determine the nature of student's difficulty, the areas of academic need, and strategies for providing supports to improve the student's performance.⁸ The law specifies that students must pass the grade 3 ELA assessment to be promoted to grade 4.⁹ Students retained in grade 3 must be provided intensive reading interventions¹⁰ and may be promoted midyear after demonstrating their ability to read and perform at or above grade level in ELA.¹¹

Credit Acceleration Program

The Credit Acceleration Program (CAP) allows students to earn credit based on demonstrating subject area competency. The program allows middle and high school students to earn high school credit in Algebra I, Algebra II, geometry, United States history, or biology if the student passes the statewide, standardized assessment, without enrolling in or completing the corresponding course. The student is permitted to take the assessment during the regular administration of the assessment.¹²

¹ Section 1008.25(2), F.S.

² Section 1008.25(2)(a), F.S.

³ Section 1008.25(2)(b), F.S.

⁴ Section 1002.3105(1), F.S. ACCEL options are educational options that provide academically challenging curriculum or accelerated instruction to eligible public school students in kindergarten through grade 12.

⁵ Section 1008.25(2)(c), F.S.

⁶ Section 1008.25(2)(d), F.S.

⁷ Section 1008.25(2)(e), F.S.

⁸ *Id.*

⁹ To be promoted to grade 4, a student must score a Level 2 or higher on the grade 3 ELA assessment. A student must be retained in grade 3 if the student does not score Level 2 or higher on the grade 3 ELA assessment. Section 1008.25(5)(b), F.S. Florida law authorizes seven good cause exemptions from mandatory retention in grade 3. Section 1008.25(6)(b), F.S.

¹⁰ Section 1008.25(7)(a), F.S.

¹¹ Section 1008.25(7)(b)3., F.S.; *see also* Rule 6a-1.094222, F.A.C.

¹² Section 1003.4295(3), F.S.

Similarly, students participating in virtual instruction, through district programs or through the Florida Virtual School, are required to participate in statewide standardized assessments during the regular administration of the assessments.¹³

Awarding of Credit

Current law defines, for purposes of high school graduation requirements, one full credit as a minimum of 135 hours of bona fide instruction in a designated course of study that contains student performance standards, except as otherwise provided through CAP. For districts that have been authorized to implement block scheduling, one full credit means a minimum of 120 hours of bona fide instruction in a designated course of study that contains student performance standards. The State Board of Education determines the number of postsecondary credit hours earned through dual enrollment that equal one full credit of the equivalent high school course.¹⁴

In awarding credit for high school graduation, each district school board must maintain a one-half credit earned system that includes courses provided on a full-year basis. A student enrolled in a full-year course must receive one-half credit if the student successfully completes either the first half or the second half of a full-year course but fails to complete the other half of the course.¹⁵

Effect of Proposed Changes

The bill creates the Competency-Based Education Pilot Program within the Department of Education to provide an educational environment to allow students to advance to higher levels of learning upon demonstrating mastery of concepts and skills. The program shall be administered for 5 years, and eligible applicants include the P.K. Yonge Developmental Research School and Lake and Pinellas County school districts.

The Department of Education must:

- Develop an application that must include, at a minimum:
 - The vision and timelines for implementation of the program, including first year participating schools and additional schools that will be added in subsequent years;
 - The annual goals and performance outcomes;
 - A communication plan for parents and stakeholders, including local business and community members;
 - The scope of and timelines for professional development for instructional and administrative personnel;
 - A plan for student progression based on mastery of content;
 - A plan for utilizing technology and digital and blended learning;
 - The proposed allocation of resources at the school and district level; and
 - The statutes and rules relating to student progression and award of credits that the district intends to waive to administer the program.
- Publish the participating school districts' student and instructional and administrative personnel calendars and schedules on its website.
- Provide participants with on-demand access to statewide, standardized assessments.
- Provide an annual report to the Legislature and the Governor summarizing the accomplishments and recommendations of the participants.
- Adopt rules to administer this program.

Participating school districts must provide to DOE:

- A finalized plan for student progression and any accompanying schedules.

¹³ See Sections 1002.37(9) and 1002.45(6), F.S.

¹⁴ Section 1003.436(1)(a), F.S.

¹⁵ Section 1003.436(2), F.S.

- All student and instructional and administrative personnel calendars by a date set by DOE.
- An annual report summarizing activities and accomplishments.

The bill exempts participating districts from the provisions of chapters 1000-1013 and State Board of Education rules relating to student progression and the awarding of credits. The district must submit, in their application, which statutes and rules it wishes to waive.

B. SECTION DIRECTORY:

Section 1. Creates s. 1003.4996, F.S., establishing the Competency-Based Education Pilot Program.

Section 2. Provides an effective date of July 1, 2016.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

See Fiscal Comments.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

Providing on-demand access to statewide, standardized assessments would require multiple versions of the same test to be available throughout the school year to ensure the security and integrity of the assessment. This may require DOE to renegotiate the contract with the test administrator to build and provide multiple tests, and may also require reconfiguration of the existing system.

Currently, students participating in CAP or virtual instruction programs are required to take the assessments at the time that assessment is administered.

Costs are indeterminate.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

Not applicable. This bill does not appear to affect county or municipal governments.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

The bill requires the State Board of Education to adopt rules to administer the pilot program.

C. DRAFTING ISSUES OR OTHER COMMENTS:

The bill provides participating districts an exemption from provisions of chapters 1000-1013 and State Board of Education rules relating to student progression and the awarding of credits, even though the program does not require that all schools within the district participate, at least in the first year. The exemption should apply to participating schools.

Also, the broad exemption appears to include all statutes not related to student progression and awarding of credits, which could include, but not be limited to: student assessment; school grading; health, safety, and welfare; public records, etc. A recommendation would be to use the exemption language provided in s. 1002.33(16), F.S.

IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

Not applicable.