

HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

BILL #:	CS/CS/HB 1365	FINAL HOUSE FLOOR ACTION:	
SPONSOR(S):	Education Appropriations Subcommittee; Choice & Innovation Subcommittee; Rodrigues, R. and Sprowls and others	100 Y's	13 N's
COMPANION BILLS:	CS/CS/SB 1714 CS/CS/SB 524	GOVERNOR'S ACTION: Pending	

SUMMARY ANALYSIS

CS/CS/HB 1365 passed the House on February 18, 2016, and subsequently passed the Senate on March 10, 2016.

The bill creates the Competency-Based Education Pilot Program within the Department of Education (DOE) to provide an educational environment that allows students to progress based upon the mastery of concepts and skills. The bill authorizes the Commissioner of Education to waive State Board of Education rules relating to pupil progression and the awarding of credit. Applications to participate are limited to the P.K. Yonge Developmental Research School and the Lake, Palm Beach, Pinellas and Seminole County school districts.

The bill:

- requires the DOE to develop an application; compile specific information related to student and staff schedules; provide participating schools with access to statewide standardized assessments; and provide an annual report to the Legislature.
- specifies reporting requirements for purposes of the Florida Education Finance Program.
- outlines minimum provisions that must be included in the application.

Because this program is voluntary, it is unknown if any of the four districts will participate, therefore the fiscal impact of this bill is indeterminate. The DOE will establish the application and meet the reporting requirements within existing resources. See fiscal comments.

Subject to the Governor's veto powers, the effective date of this bill is July 1, 2016.

I. SUBSTANTIVE INFORMATION

A. EFFECT OF 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 courses contained in the dual enrollment articulation agreement.⁷

Current law requires students who do 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 the 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

Personalized Learning Programs

Lake and Pinellas County school districts received a Next Generations Systems Initiative Grant award from the Bill and Melinda Gates Foundation in 2013 to support their work in creating a system of personalized learning through competency-based education.¹⁶ The competitive grant targeted medium to large public school districts committed to developing a system-wide personalized learning strategy to launch new schools, or completely redesign existing schools.¹⁷

Lake and Pinellas County Public Schools were each awarded a three-phase grant of approximately \$3,100,000. Since 2013, the districts have developed strategic plans for implementation, developed and conducted teacher and administrative training, established cross-functional work groups, developed an application process and reviewed and approved school applications for participation. Both districts implemented personalized learning in five schools beginning in the 2015-2016 school year.¹⁸

P.K. Yonge Laboratory School has not received any external funding to support its initiatives for personalized learning; however through its innovate practices as a laboratory school, P.K. Yonge has already established much of the framework to implement competency-based education including, but not limited to: standards-based grading; blended learning curriculums; and project-based learning.¹⁹

Effect of the Bill

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.

¹⁶ Email, Foundation for Florida's Future (Feb. 18, 2016), *see also*, *What is the Next Generation Systems Initiative Grant?*, <http://www.lake.k12.fl.us/Page/38471> (last visited Mar. 16, 2016) and Pinellas County Schools, *PCS Receives Funding for Personalized Learning Initiative*, <http://www.pcsb.org/site/Default.aspx?PageType=3&DomainID=140&PageID=273&ViewID=047e6be3-6d87-4130-8424-d8e4e9ed6c2a&FlexDataID=30701> (last visited Mar. 16, 2016).

¹⁷ Bill and Melinda Gates Foundation, *Next Gen Systems 2013 Application for Participation in Phase I*, available at http://www.google.com/url?sa=t&rct=j&q=&esrc=s&frm=1&source=web&cd=9&ved=0ahUKEwipuMeb1cXLAhXBph4KHbTuBuAQFghPMAG&url=http%3A%2F%2Fwww.pltwa.us%2Fshare%2FNextGen_Systems_2013_Application.pdf&usg=AFQjCNEaX8av3WFI1ROM1XBDLY7oJeut4w.

¹⁸ *Id.*

¹⁹ *Id.*

The bill creates the Competency-Based Education Pilot Program within the DOE 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, Palm Beach, Pinellas and Seminole County school districts.

The DOE 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;
 - The recruitment and selection of participating schools; and
 - The rules relating to student progression and award of credits that the district intends to waive for participating schools.
- Compile student and staff schedules of participating schools before and after program implementation.
- Provide participants access to statewide, standardized assessments.
- Provide an annual report to the Legislature and the Governor, by June 1, summarizing the accomplishments of the program and recommendations for statutory revisions.
- Adopt rules to administer this program.

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:

See fiscal comments.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

None.

D. FISCAL COMMENTS:

Because this program is voluntary, it is unknown if any of the four districts will participate, therefore the fiscal impact of this bill is indeterminate. However, if a district chooses to participate, any fiscal impact would be absorbed within existing resources. The DOE will establish the application and meet the reporting requirements within existing resources.