



---

# **Choice & Innovation Subcommittee**

**MEMBER'S BRIEFING BOOK**

**Will Weatherford  
Speaker**

**Michael Bileca  
Chair**

## **Table of Contents**

Overview of PreK-20 Education System

Committee Staff & Contact Numbers

Interim Calendar

Legislative Liaison Contacts

Fact Sheet Sample

Education Committee

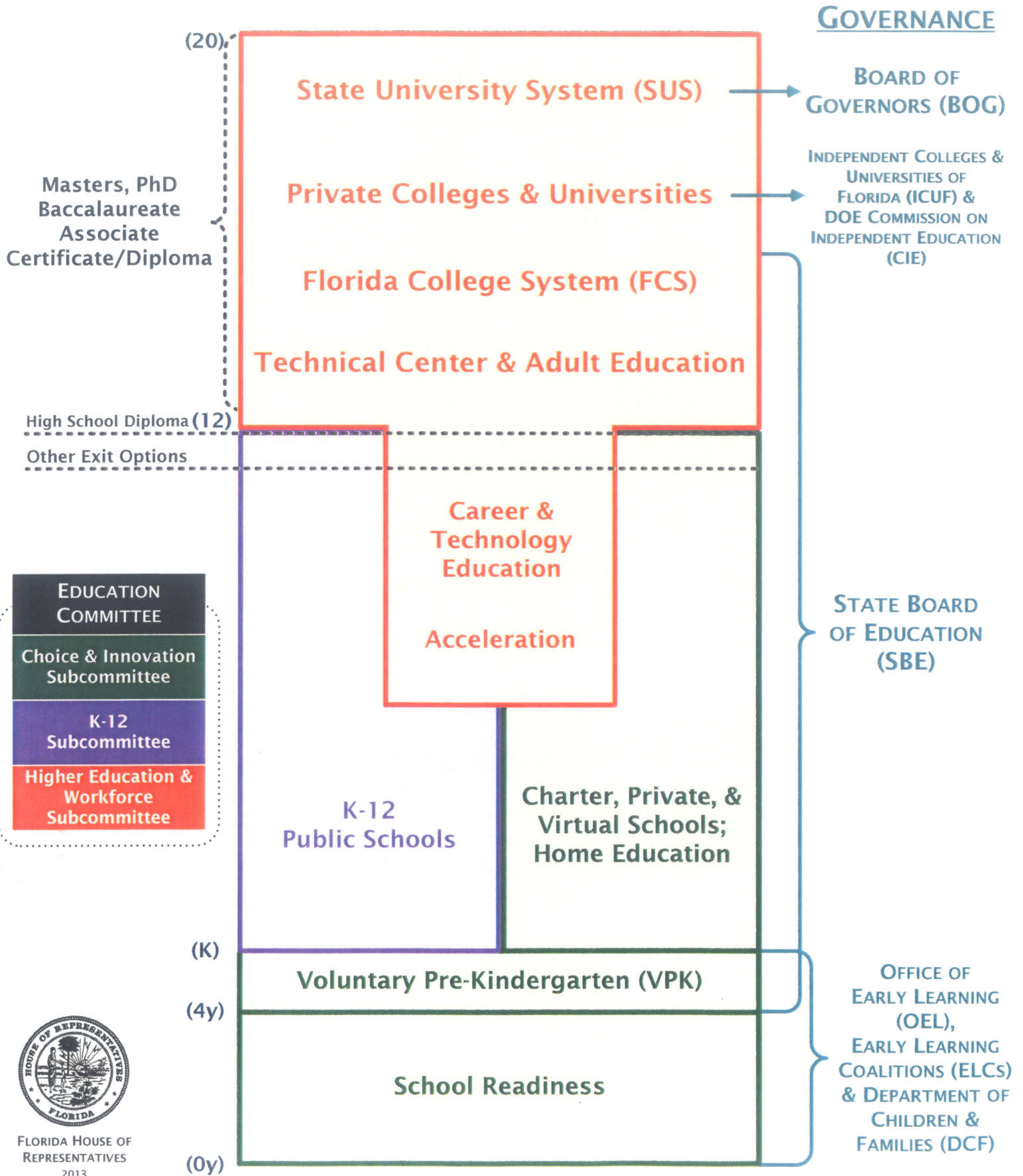
K-12 Subcommittee

Choice & Innovation Subcommittee

Higher Education & Workforce Subcommittee



# FLORIDA'S PREK-20 EDUCATION SYSTEM



**Staff &  
Contact Numbers**

## EDUCATION COMMITTEE

Contact Number	Name
<b>717-4830</b>	<b>Education Main Line</b>
	Kathy Mizereck, Staff Director
	Jason Fudge, Deputy Staff Director
	Ann Gilliam, Administrative Assistant
	Kaley Wright, Administrative Assistant
<b>717-4831</b>	<b>Choice &amp; Innovation Subcommittee</b>
	Jason Fudge, Policy Chief
	Jean Ammel, Analyst
<b>717-4832</b>	<b>Higher Ed &amp; Workforce Subcommittee</b>
	Heather Sherry, Policy Chief
	Margaret Thomas, Analyst
<b>717-4833</b>	<b>K-12 Subcommittee</b>
	Marleen Ahearn, Policy Chief
	Gavin Beagle, Attorney
	Nate Kaplan, Intern

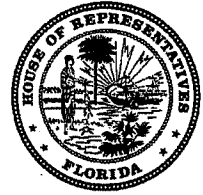


# THE FLORIDA LEGISLATURE



**DON GAETZ**

*President-designate of the Senate*



**WILL WEATHERFORD**

*Speaker-designate of the House  
of Representatives*

## MEMORANDUM

**TO:** Members of the Florida Legislature

**FROM:** Don Gaetz, President-designate  
Will Weatherford, Speaker-designate

**DATE:** Wednesday, November 7, 2012

**RE:** 2012-2013 Interim Committee Meeting Schedule

---

In addition to previously scheduled work, please be advised that the schedule for interim committee meetings is as follows:

- The week of December 3
- The week of January 14
- The week of January 21
- The week of February 4
- The week of February 11
- The week of February 18

Please note the Regular Session convenes on Tuesday, March 5, 2013.

If you have additional questions, please contact the President's Office at (850) 487-5229 or the Speaker's Office at (850) 717-5000.





## Legislative Liaison Contacts

<p>State Board of Education/Department of Education</p> 	<p><a href="http://www.fldoe.org">http://www.fldoe.org</a></p> <p><b>Adam Potts</b> - <a href="mailto:Adam.Potts@fldoe.org">Adam.Potts@fldoe.org</a>  <b>Tanya Cooper</b> - <a href="mailto:Tanya.Cooper@fldoe.org">Tanya.Cooper@fldoe.org</a>          Phone (850)245-0507</p>
 <p><b>STATE UNIVERSITY SYSTEM of FLORIDA</b> Board of Governors</p>	<p><a href="http://www.flbog.edu">www.flbog.edu</a></p> <p><b>Janet Owen</b> - <a href="mailto:jowen@unf.edu">jowen@unf.edu</a>  <b>Nicole Washington</b> - <a href="mailto:nicole.washington@flbog.edu">nicole.washington@flbog.edu</a>          (850) 245-9717</p>
 <p><b>ICUF</b> Independent Colleges &amp; Universities of Florida</p>	<p><a href="http://www.icuf.org">http://www.icuf.org</a></p> <p><b>Robert J. (Bob) Boyd</b> - <a href="mailto:bboyd@ssclawfirm.com">bboyd@ssclawfirm.com</a>          Phone:(850) 955-7500</p>
 <p><b>THE Florida COLLEGE SYSTEM</b></p>	<p><a href="http://www.fldoe.org">http://www.fldoe.org</a></p> <p><b>Kasongo Butler</b> - <a href="mailto:Kasongo.Butler@fldoe.org">Kasongo.Butler@fldoe.org</a>          Phone (850) 245-9455</p>
<p>Commission for Independent Education</p> 	<p><a href="http://www.fldoe.org">http://www.fldoe.org</a></p> <p><b>Adam Potts</b> - <a href="mailto:Adam.Potts@fldoe.org">Adam.Potts@fldoe.org</a>  <b>Tanya Cooper</b> - <a href="mailto:Tanya.Cooper@fldoe.org">Tanya.Cooper@fldoe.org</a>          Phone (850)245-0507</p>
<p>Career and Adult Education</p> 	<p><a href="http://www.fldoe.org">http://www.fldoe.org</a></p> <p><b>Adam Potts</b> - <a href="mailto:Adam.Potts@fldoe.org">Adam.Potts@fldoe.org</a>  <b>Tanya Cooper</b> - <a href="mailto:Tanya.Cooper@fldoe.org">Tanya.Cooper@fldoe.org</a>          Phone (850)245-0507</p>
	<p><a href="http://www.floridaearlylearning.com">http://www.floridaearlylearning.com</a></p> <p><b>Allen Mortham</b> <a href="mailto:Allen.Mortham@oel.myflorida.com">Allen.Mortham@oel.myflorida.com</a>          Phone: (850) 717-8662</p>





## Overview: Acceleration Options

### Education Committee

#### **What acceleration options are available to public school students?**

Public school students are provided a variety of acceleration options including Academically Challenging Curriculum to Enhance Learning (ACCEL) options, articulated acceleration mechanisms, and early graduation and accelerated 18-credit graduation options.<sup>1</sup>

#### **What are ACCEL options?**

ACCEL options provide academically challenging curriculum or accelerated instruction to eligible<sup>2</sup> public school students in kindergarten through grade 12. The minimum ACCEL options a school must offer include, whole grade and midyear promotion, subject-matter acceleration, virtual instruction in higher grade level subjects, and the credit acceleration program<sup>3</sup> (CAP). A school may offer other ACCEL options, including but not limited to, enriched science, technology, engineering, and mathematics (STEM) coursework; enrichment programs; flexible grouping; advanced academic courses; combined classes; self-paced instruction; curriculum compacting; advanced-content instruction; and telescoping curriculum.<sup>4</sup>

CAP allows a student to earn high school credit in a course that requires a statewide, standardized end-of-course (EOC) assessment if the student attains a score indicating satisfactory performance on the corresponding assessment. A student does not have to be enrolled in or complete the course to take the EOC assessment during the regular administration of the assessment.<sup>5</sup>

#### **What are articulated acceleration mechanisms?**

Articulated acceleration mechanisms are intended to shorten the time necessary for a student to earn a high school diploma and a postsecondary degree, broaden the scope of curricular options available to students, or increase the depth of study available for a particular subject. Articulated acceleration mechanisms include, but are not limited to, dual enrollment and early admission, advanced placement, credit by examination, the International Baccalaureate Program, and the Advanced International Certificate of Education Program.<sup>6</sup>

**Dual Enrollment Program:** allows eligible secondary students to enroll in a postsecondary course that provides credit towards high school graduation and a postsecondary degree or certificate.<sup>7</sup> Any student enrolled as a dual enrollment student is exempt from the payment of registration, tuition, and laboratory fees.<sup>8</sup>

**Early Admission:** is a form of dual enrollment that allows eligible secondary students to enroll in a postsecondary institution on a full-time<sup>9</sup> basis in courses that are creditable toward the high school diploma

---

<sup>1</sup> See ss. 1002.3105, 1007.27, 1007.271, 1003.4281, and 1003.429, F.S.

<sup>2</sup> Eligibility for each ACCEL option is determined by the principal when the promotion or acceleration occurs within the principal's school; otherwise, eligibility is determined by the school district. Section 1002.3105(2), F.S.

<sup>3</sup> Section 1003.4295(3), F.S.

<sup>4</sup> Section 1002.3105(1), F.S.

<sup>5</sup> Section 1003.4295(3), F.S.

<sup>6</sup> Section 1007.27(1), F.S.

<sup>7</sup> Section 1007.271(1), F.S.

<sup>8</sup> Section 1007.271(2), F.S.

<sup>9</sup> A student must enroll in a minimum of 12 college credit hours per semester or the equivalent to participate; however, a student may not be required to enroll in more than 15 college credit hours per semester or the equivalent. Section 1007.271(10), F.S.

and the associate or baccalaureate degree. Students participating in early admission are exempt from the payment of registration, tuition, and laboratory fees.<sup>10</sup>

**Advanced Placement (AP) Program:** is a nationwide program administered by the College Board consisting of more than 30 college-level courses and examinations. Students are eligible to receive postsecondary credit if they obtain a passing score on the corresponding AP examination.<sup>11</sup>

**Credit by Examination:** allows secondary and postsecondary students to generate postsecondary credit based upon the receipt of a specified minimum score on nationally standardized general or subject-area examinations.<sup>12</sup>

**International Baccalaureate (IB) Programs:** provide an intensive curriculum established by the International Baccalaureate Organization for students aged 3 to 19 years that help develop intellectual, personal, emotional, and social skills.<sup>13</sup> Students are eligible to receive postsecondary credit if they obtain a passing score on the corresponding IB examination.<sup>14</sup>

**Advanced International Certificate of Education (AICE) Program:** a curriculum established by the University of Cambridge International Examinations modeled on the British pre-college curriculum.<sup>15</sup> Students are eligible to receive postsecondary credit if they obtain a passing score on the corresponding AICE examination.<sup>16</sup>

### **What is the early graduation option?**

The early graduation option allows a student to graduate in fewer than four years if the student has completed a minimum of 24 credits and meets the general requirements<sup>17</sup> for graduation. A student that graduates early may continue to participate in school activities and social events and attend and participate in graduation events with the student's cohort.<sup>18</sup>

### **What is the accelerated 18-credit graduation option?**

The accelerated 18-credit graduation option allows a student to complete a standard college preparatory or career preparatory program in three-years and 18 academic credits, rather than the standard 24 credits. Students who choose the college preparatory 18-credit graduation option must complete four credits in English, four credits in mathematics, three credits in science, three credits in social sciences, two credits in the same second language, and two elective credits. Students who choose the career preparatory 18-credit graduation option must complete four credits in English, four credits in mathematics, three credits in science, three credits in social sciences, three credits in a single vocational or career education program, and one elective credit.<sup>19</sup> Under either option, a student must earn passing scores on the Florida Comprehensive Assessment Test (FCAT) and score a 3 or higher on the grade 10 FCAT Writing assessment.<sup>20</sup>

---

<sup>10</sup> Section 1007.271(10), F.S.

<sup>11</sup> Section 1007.27(5), F.S.; Florida Department of Education, *Advanced Placement Program*, available at <http://www.fldoe.org/flbpos/otherpubschopt/advplacement.asp> (last visited May 30, 2012).

<sup>12</sup> Section 1007.27(6), F.S.

<sup>13</sup> International Baccalaureate Organization, *About the International Baccalaureate*, <http://www.ibo.org/general/who.cfm> (last visited May 22, 2012).

<sup>14</sup> Section 1007.27(7), F.S.

<sup>15</sup> University of Cambridge International Examinations, *Cambridge AICE Diploma Overview*, <http://www.cie.org.uk/qualifications/academic/uppersec/aice> (last visited May 22, 2012).

<sup>16</sup> Section 1007.27(8), F.S.

<sup>17</sup> General graduation requirements are established in s. 1003.428, F.S.

<sup>18</sup> Section 1003.4281(1) and (3), F.S.

<sup>19</sup> Section 1003.429(1)(b) and (c), F.S. For both 18-credit accelerated graduation options, the mathematics credits must include Algebra I and II and geometry; the science credits must include Biology I, chemistry or physics, and one equally rigorous course; the social sciences credits must include U.S. history, world history, and one-half credit in U.S. government and economics. *Id.*

<sup>20</sup> Section 1003.429(6)(a) and (8)(c), F.S.

**Where can I get additional information?**

**Florida Department of Education**

Division of Public Schools

(850)245-0509

<http://www.fldoe.org/schools/>

**Florida House of Representatives**

Education Committee

(850)717-4830

<http://www.myfloridahouse.gov>

SAMPLE



**EDUCATION COMMITTEE**  
**Kathy Mizereck, Staff Director**  
**Jason Fudge, Deputy Staff Director**  
**Ann Gilliam, Senior Administrative Assistant**  
**Kaley Wright, Administrative Assistant**

---

**Jurisdiction**

---

The Education Committee considers matters related to Florida's education system, from prekindergarten to graduate school – "PreK-20." Agencies monitored include the Florida Department of Education, the Office of Early Learning and the Florida Board of Governors. In addition to the primary focus on students and their families, constituent groups and entities covered include:

- Early Learning Coalitions, programs (both school readiness and Voluntary Pre-K) and providers
- Public K-12 school district programs and personnel
- Charter school programs, providers and personnel
- Private and home school K-12 programs
- Online education programs and providers at all levels
- Technical centers and workforce, career and adult education programs and providers
- Private postsecondary institutions
- State colleges
- State universities

The Education Committee will deal with all issues originating in the subcommittees, PreK-20

---

**Staff Biographies**

---

**Kathy Mizereck** is the Staff Director for the Education Committee. Ms. Mizereck has over 30 years of experience in the education field, serving as a teacher, project manager, cabinet aide to the Secretary of State, legislative affairs director, Department of Education administrator, and staff director for the House K-12 and Education Appropriations Subcommittees. Immediately prior to her return to the House, she spent five years as the Executive Director of the Florida Association of Postsecondary Schools and Colleges.

**Jason Fudge** is the Deputy Staff Director of the Education Committee and also the Policy Chief for the Choice and Innovation Subcommittee. He has 10 years of experience as an attorney including the Florida Department of Education, the Public Service Commission, and the House.

**Ann Gilliam** is the Senior Administrative Assistant to both the K-12 Subcommittee and the Education Committee. Ms. Gilliam has 15 years of experience in state government, and has provided administrative support to the Criminal and Civil Justice Committee and the Health Quality Committee. Prior to working in the House, she retired after a 30 year career with United Parcel Service.

**Kaley Wright** is the Administrative Assistant for the Choice and Innovation Subcommittee and the Higher Education and Workforce Subcommittee. She previously worked for the Office of Attorney General and is a new addition to the Education Committee staff.





**K-12 SUBCOMMITTEE**  
**J. Marleen Ahearn, Policy Chief**  
**Gavin Beagle, Attorney**  
**Margaret Thomas, Legislative Analyst**  
**Nate Kaplan, Intern**  
**(850) 717-4833**

---

**Jurisdiction**

---

The K-12 Subcommittee addresses topics pertaining to public schools, grades K-12. Such topics include

- Education governance at the state, school district, and school levels;
- Assessment and education accountability;
- Curriculum standards, student progression, acceleration options, and high school graduation;
- Personnel evaluation systems, contracts, performance pay, recruitment, and training;
- Student performance, attendance, and conduct;
- Education of adjudicated youth, English language learners, students with disabilities, gifted students, and children of active duty military; and
- Transportation.

---

**Overview of Recently Passed Legislation**

---

**Promotion and Graduation Requirements**

CS/CS/SB 4 (2010) provided for the phased implementation of more rigorous mathematics and science requirements for high school graduation. Beginning with 9<sup>th</sup> grade students in the 2012-13 school year, credits must be earned in geometry and Algebra II (in addition to Algebra I) and Biology I. Passage of the statewide, standardized end-of-course (EOC) assessments in Algebra I, geometry, and Biology I are required to earn course credits. Beginning with 9<sup>th</sup> grade students in the 2013-14 school year, credits must be earned in chemistry or physics and an equally rigorous science course. CS/CS/SB 4 eliminated 9<sup>th</sup> and 10<sup>th</sup> grade FCAT mathematics and 11<sup>th</sup> grade FCAT science assessments, to be replaced with EOC assessments.

In addition to the general requirements for middle grades promotion, CS/HB 105 (2010) provided for the phased implementation of a middle school EOC assessment in civics. Beginning with students entering 6<sup>th</sup> grade in the 2014-15 school year passage of the Civics EOC assessment is required for promotion to high school.

**Personnel Evaluation, Contracting, and Compensation**

CS/CS/SB 736 (2011) revised Florida law regarding educator performance evaluations, salary schedules, and contracts.

Performance Evaluation

The legislation increased the emphasis placed upon student performance in evaluating educator performance by requiring that 50 percent of the performance evaluation be based upon student learning growth. Student learning growth must be measured using statewide assessments, or for subjects and grades not tested on statewide assessments, school district assessments. Each school

district's performance evaluation must differentiate among four levels of performance – highly effective, effective, needs improvement/developing, and unsatisfactory.

### Contracts

The legislation discontinued the award of professional service contracts to instructional personnel hired on or after July 1, 2011. Instead, these employees are employed on performance-based annual contracts. Instructional personnel who receive multiple performance evaluations of needs improvement or unsatisfactory within a specified period are disqualified from earning subsequent annual contracts or may be dismissed for "just cause."

### Salary Schedules

The legislation phased out seniority and advanced degrees as the primary factors used in negotiating educator compensation in favor of performance on annual evaluations. By July 1, 2014, each school district must adopt a performance salary schedule for instructional personnel on annual contract as of July 1, 2014, and school administrators. Annual salary adjustments provided under this salary schedule may only be awarded to employees evaluated as highly effective or effective. An employee on a professional service contract is not under the performance salary schedule, but may opt in if certain requirements are met.

Although the legislation prohibited the use of advanced degrees in setting base salary for instructional personnel and school administrators hired on or after July 1, 2011, salary supplements may be awarded for advanced degrees in an individual's area of certification. If funds are available, districts may provide annual cost of living adjustments.

### **School Improvement and Accountability**

HB 7127 (2012) aligned Florida's accountability system with the Elementary and Secondary Education Act (ESEA) waiver granted to Florida by the U.S. Department of Education. Among other things, the legislation simplified identification of schools needing intervention and support, granted school districts more flexibility and time to implement school turn-around efforts, and created varying levels of intervention and support tailored to meet the unique needs of both traditional public schools and charter schools.

### **Acceleration and Early Graduation**

CS/HB 7059 (2012) revised state law regarding dual enrollment to clarify student eligibility and institutional requirements; established new Academically Challenging Curriculum to Enhance Learning (ACCEL) options; established opportunities for early graduation from high school; authorized eligible high school students who graduate midyear to receive a Bright Futures Scholarship award during the spring term; and required each school district's student progression plan to include information regarding ACCEL options, early and accelerated graduation options, and dual enrollment courses.

In addition, the legislation established performance-based funding for Algebra I, Biology I, and Geometry courses. Funding for these courses is contingent upon students passing the end-of-course assessments, beginning in the fourth year of administering the end-of-course assessment.

---

## Anticipated Future Policy Issues

---

### **High School Graduation**

The Legislature has adopted more rigorous mathematics and science requirements for high school graduation. The 2013 session presents an opportunity to further refine curriculum requirements and establish more student-goal oriented options for students to earn a standard high school diploma.

### **Transition to Common Core Assessments**

Florida is one of 45 states that have adopted the Common Core State Standards in English Language Arts/Reading and Mathematics. Florida has joined the Partnership for Assessment of Readiness for College and Career (PARCC) to develop student assessments aligned to these common core standards. Statutory changes may be necessary to facilitate the transition to these assessments.

### **Interstate Compact on Educational Opportunity for Military Children**

Florida is one of 43 states participating in the Interstate Compact on Educational Opportunity for Military Children. The compact assists member states in uniformly addressing educational transition issues faced by military families. Florida's compact legislation sunsets May 11, 2013, unless the Legislature authorizes continued participation in the compact.

---

## Staff Biographies

---

**J. Marleen Ahearn**, Ph.D., J.D., is the Policy Chief for the K-12 Subcommittee. Dr. Ahearn worked over 15 years as an elementary, middle, and high school teacher and high school assistant principal/principal. She also served over five years as a litigator in the public and private sectors and two years as Education Policy Coordinator to Governor Jeb Bush. Dr. Ahearn has over 20 years of experience with the Florida House of Representatives as Staff Attorney, Staff Director, Director of Personnel and Training, and Policy Chief.

**Gavin E. Beagle** is the Attorney for the K-12 Subcommittee. He has worked as a home health care aide for persons with disabilities, and as a corporate legal assistant. Since 2005 Mr. Beagle has served as a staff attorney in the House Education Committee.

**Margaret Thomas** is a Legislative Analyst for the K-12 and the Higher Education and Workforce Committees. Ms. Thomas has over 17 years of experience in education, including three years in the Florida Department of Education. She has served in the House for 14 years working with the Florida College System, postsecondary student fees and waivers, and the Bright Futures Scholarship Program.

**Nate Kaplan** is a third year law student and the Legislative Intern for the Education Committee. He will provide support to the K-12 Subcommittee.



**CHOICE & INNOVATION SUBCOMMITTEE**  
**Jason Fudge, Policy Chief**  
**Jean Ammel, Senior Legislative Analyst**  
**(850) 717-4831**

---

**Jurisdiction**

---

The Choice & Innovation Subcommittee focuses on Pre K-12 issues that encourage regulatory flexibility and foster school choice. Specifically, the subcommittee considers issues related to:

- Early learning, school readiness, and Voluntary Prekindergarten
- Home education
- K-12 private schools
- McKay Scholarship Program
- Florida Tax Credit Scholarship Program
- Opportunity Scholarship Program
- Controlled open enrollment
- Virtual instructional programs (private, district run and the Florida Virtual School)
- Student athletics
- Charter schools

---

**Overview of Recently Passed Legislation**

---

**Early Learning**

To increase the quality of school readiness programs and address some audit concerns the Legislature passed CS/HB 5103 which required the Office of Early Learning to adopt a list of approved curricula; identify a pre and post-assessment for school readiness participants; adopt a statewide, standardized contract to be used by the Early Learning Coalitions with each school readiness provider; coordinate with other agencies to perform data matches on individuals or families participating in the school readiness program; and submit annually a recommended allocation of funds to the School Readiness Allocation Conference including payment rates, parent co-payment percentages, and the Gold Seal premium rate percentage.<sup>1</sup>

**Digital Learning**

Digital learning options were expanded by increasing the number of options districts must provide; authorizing full-time kindergarten through grade 12 virtual charter schools; and expanding access to digital learning by removing the prior public attendance requirement for certain programs. In addition, entering grade 9 students, beginning with the 2011-12 school year, must complete at least one online course within the 24 credit requirement for high school graduation.<sup>2</sup>

---

<sup>1</sup> CS/HB 5103 (2012).

<sup>2</sup> CS/CS/ HB 7197 (2011); 2012 CS/CS/HB 7063 (2012)

## **Charter Schools**

Charter schools are tuition-free public schools operated by an independent non-profit governing board and were established to provide innovative learning opportunities for Florida students. While charter schools enjoy expanded freedom, they must commit to high standards of accountability and participate in the statewide assessment program under s. 1008.22, F.S.<sup>3</sup>

In 2011, the Legislature created designations for High Performing Charter Schools and High Performing Charter School Systems.<sup>4</sup> Schools and systems that qualify for High Performing status receive additional flexibility and a High Performing Charter School may replicate its educational program in any school district in the state through a streamlined application and review process.

Charter school accountability was also increased by revising when a charter school must submit and implement a School Improvement Plan and requiring the termination of charter schools that receive two consecutive school grades of "F", unless a waiver is granted by the State Board of Education.<sup>5</sup>

## **John M. McKay Scholarship Program**

The John M. McKay Scholarship Program provides scholarships to students with disabilities to attend an eligible participating private school or to attend another public school in the district. Students must have an Individualized Education Plan and have been enrolled and reported for funding in a public school the year prior to applying for a scholarship. The McKay Scholarship remains in force until a student graduates from high school, returns to public school, or reaches the age of 22, whichever occurs first.<sup>6</sup>

Recent changes clarified when a scholarship student is not considered to have returned to public school and can maintain their scholarship to a private school.<sup>7</sup> In addition, the law was revised to expand eligibility for the program to include students who have been issued a 504 accommodation plan under s. 504 of the Rehabilitation Act of 1973.<sup>8</sup>

## **Opportunity Scholarship Program**

The law revised the definition of an eligible school, under the Opportunity Scholarship Program, as a school that received a grade of "F" or its third consecutive "D" pursuant to s. 1008.34, F.S. Students who attended such a school, or students who are assigned to attend such a school in the upcoming school year, are eligible to enroll in another public school in the district or another public school anywhere in the state.<sup>9</sup>

---

<sup>3</sup> Section 1002.33, F.S.

<sup>4</sup> CS/CS/CS/SB 1546 (2011).

<sup>5</sup> HB 7127 (2012).

<sup>6</sup> Section 1002.39, F.S.

<sup>7</sup> CS/CS/HB 1255 (2011).

<sup>8</sup> CS/HB 1329 (2011).

<sup>9</sup> HB 7127 (2012).

### **Florida Tax Credit Scholarship Program**

The Florida Tax Credit Scholarship Program was designed to offer scholarships to students of low-income families. The program encourages private voluntary contributions from corporate donors to non-profit scholarship funding organizations (SFOs) who then award scholarships to eligible students to attend participating private schools. Students may also receive a scholarship to assist with transportation costs to attend a public school in an adjacent district.<sup>10</sup>

The law was revised to: increase the tax credit cap from \$140 million to \$229 million; expand eligibility to students entering grades 1-5 without prior year public school attendance requirements; strengthen accountability by expanding the Department of Education's authority to increase the number of site visits to certain schools who received notices of noncompliance or proposed action; and authorize private schools serving FTC students to administer statewide assessments at their school should they choose to do so.<sup>11</sup>

### **Student Athletics**

Student eligibility criteria for students participating in interscholastic sports were revised to allow student transfers during the school year without loss of athletic eligibility and prohibited the Florida High School Athletic Association from declaring a student ineligible for a recruiting violation, unless the student falsified enrollment documents or accepted an impermissible benefit. Moreover, the Florida High School Athletic Association was required to adopt standards for its investigations, penalties for coaches that commit major violations, and provide due process in student eligibility determinations and appeals.<sup>12</sup>

---

## **Anticipated Future Policy Issues**

---

### **Early Learning**

Last year, the Auditor General conducted an audit of the Office of Early Learning. Because the Auditor General identified the Office of Early Learning as high risk, the Office is subject to annual audits. Consequently, it is anticipated that the subcommittee will consider bills to address any audit concerns.

### **Digital Learning**

The subcommittee often considers bills to expand digital learning. Anticipated issues in the upcoming session are: increasing access to digital learning by revising the eligibility criteria; increasing the use of technology in classrooms; and anticipating needs relating to the transition to computer based assessments.

---

<sup>10</sup> Section 1002.395, F.S.

<sup>11</sup> CS/CS/CS/HB 859 (2012).

<sup>12</sup> CS/CS/CS/HB 1403 (2012).



## **Charter Schools**

Last year, the Legislature created the K-12 Public School Facility Funding Task Force to make recommendations to the Legislature for more equitable facility funding for charter schools and schools operated by a school district. The report is due December 1, 2012. Moreover, due to recent changes to charter school law additional clarification may be necessary.

---

## **Staff Biographies**

---

**Jason Fudge** is the Deputy Staff Director of the Education Committee and also the Policy Chief for the Choice and Innovation Subcommittee. He has 10 years of experience as an attorney including the Florida Department of Education, the Public Service Commission, and the House.

**Jean Ammel** is the Senior Legislative Analyst for the Choice and Innovation Subcommittee. She began work at the Florida Department of Education in 1998 in Exceptional Student Education, spent three years in Funding and Financial Reporting, and was Deputy Executive Director for Independent Education and Parental Choice (Choice Office), for the past seven years.



## HIGHER EDUCATION & WORKFORCE SUBCOMMITTEE

Heather Sherry, Policy Chief

Adam Brink, Attorney

Margaret Thomas, Legislative Analyst

(850) 717-4832

---

### Jurisdiction

---

This Higher Education & Workforce Subcommittee focuses on post high school graduation education policy issues. Specifically, the subcommittee considers issues related to:

- Public and nonpublic universities
- Public and nonpublic colleges
- Career and technical centers
- Adult education
- Tuition and fees
- Student financial aid
- Residency for tuition purposes
- Accreditation
- Articulation and transfer
- Graduate and professional education
- Student government
- Vocational Rehabilitation
- Blind Services

---

### Overview of Recently Passed Legislation

---

#### Higher Education Accountability

In an effort to increase accountability and improve institutional performance, the Legislature passed HB 7135, which strengthened the role of the State Board of Education and the Board of Governors by requiring each board to develop common performance metrics and standards for institutions under their respective jurisdictions. Metrics and standards must be both system-wide and unique to individual institutional missions.<sup>1</sup>

In addition to establishing institutional metrics and standards, the Legislature required the Department of Economic Opportunity (DEO) to annually prepare an Economic Security Report that outlines employment related outcomes associated with degrees and certificates earned at public colleges and universities.<sup>2</sup>

---

<sup>1</sup> HB 7135 (2012)

<sup>2</sup> Section 445.07, F.S.

In 2012, the Legislature established performance funding for state universities for the 2012-2013 and 2013-2014 fiscal years. The performance funds (up to \$15 million) must be distributed by the Board of Governors based on a formula that provides various weights for factors related to the employment of graduates in high-skill, high-wage, and high demand occupations.<sup>3</sup>

The Legislature also passed House Bill 7129 that established specific criteria for “preeminent” universities, but the bill was subsequently vetoed by the Governor.<sup>4</sup> The bill focused on universities with high research activity and established specific benchmarks which must be met to achieve preeminent status. Institutions that met these benchmarks would be provided with flexibility in setting tuition rates.

### **General Education**

To address concerns raised by the Council of 100 related to the need for a strong liberal arts foundation for all college graduates, the Legislature revised general education requirements for the associate and baccalaureate degree.<sup>5</sup> State University System and Florida College System faculty committees must select up to 5 common course options in each of the following subject areas: communication, math, humanities, social sciences, and natural sciences. Statewide core competencies, determined by faculty, must be embedded within each course. Beginning with entering freshmen in 2014-15, students must complete at least one course in each of the 5 subject areas as part of their general education requirement. In addition, the bill reduced the required number of general education credits from thirty-six to thirty to allow for greater institutional flexibility.<sup>6</sup>

### **Acceleration Options in Public Education**

To facilitate the efficient and timely student progression from one level of education to the next, the Legislature established Academically Challenging Curriculum to Enhance Learning (ACCEL) options for students in Kindergarten through grade 12.<sup>7</sup> The law requires school districts to notify students and parents of acceleration options<sup>8</sup> and provide an option to graduate early once a student has completed at least 24 credits and met the standard graduation requirements.<sup>9</sup> School districts are authorized to receive funding for unpaid credits delivered to students who graduate at least one semester early (an example of an unpaid credit might be a course offered by a school district in the optional 7<sup>th</sup> period that does not receive funding).

The law also clarified student eligibility requirements for participation in the dual enrollment program and provided faculty and curriculum standards for college-credit dual enrollment courses (consistent with accreditation standards). The requirements for dual enrollment articulation agreements between

---

<sup>3</sup> Section 1011.905, F.S.

<sup>4</sup> HB 7129 (2012)

<sup>5</sup> HB 7135 (2012)

<sup>6</sup> Section 1007.25, F.S.

<sup>7</sup> CS/HB 7059 (2012)

<sup>8</sup> Section 1002.3105, F.S.

<sup>9</sup> Section 1002.4281, F.S.

school districts and Florida College System institutions were revised and further direction was provided regarding the colleges' ability to limit access to dual enrollment courses based on capacity.<sup>10</sup>

---

### **Anticipated Future Policy Issues**

---

#### **Expansion of online postsecondary education options**

Although a significant number of Florida students take at least one online course while in college, the number of online degree programs offered by Florida's public colleges and universities falls below the national average. An important issue for this legislative session will be to leverage existing programs, infrastructure, and institutional best practices to explore options for increasing access to online degree programs. Special attention will be given to ensuring quality and limiting costs to both the state and students.

#### **Higher Education Accountability**

State policy makers including the Legislature, the Governor, and the various education governing bodies have increased focus on higher education accountability in recent years. As state support for higher education has declined due to budget constraints, tuition increases have not been sufficient to cover the costs. Florida leaders are faced with the difficult task of funding quality, while maintaining access and affordability. A primary focus will be on providing funding based on specifically identifiable measures of success that are unique to institutional strengths and that meet the employment and economic development needs of the state. Recommendations from the Blue Ribbon Task Force on Higher Education Reform and the Board of Governors Task Force on Access and Degree Attainment will help to guide the policy discussions.

#### **Developmental Education**

Developmental (remedial) education has been attracting a great deal of attention on both the state and national level. The Division of Florida Colleges recently held a Developmental Education Summit to discuss national trends and state initiatives in an attempt to identify best practices for reform. Redesign of the curriculum and the creation of developmental education modules will be a topic for discussion as potential policy changes are considered.

---

### **Staff Biographies**

---

**Heather R. Sherry, Ph.D.**, is the Policy Chief for the Higher Education and Workforce Committee. She has worked in the postsecondary field since 1996, including positions with the Postsecondary Education Planning Commission, MGT of America, the Florida Community College System, and the Florida Department of Education prior to her service in the House.

---

<sup>10</sup> Section 1007.271, F.S.

**Adam Brink** is the Attorney for the Higher Education and Workforce Committee. He served as an intern in the Regulated Industries Committee of the Florida Senate and as an attorney in private practice.

**Margaret Thomas** is a Legislative Analyst for the K-12 and the Higher Education and Workforce Committees. Ms. Thomas has over 17 years of experience in education, including three years in the Florida Department of Education. She has served in the House for 14 years working with the Florida College System, postsecondary student fees and waivers, and the Bright Futures Scholarship Program.