



Choice & Innovation Subcommittee

Tuesday, January 6, 2015

2:00 PM – 4:00 PM

306 HOB

Action Packet

REVISED

Steve Crisafulli
Speaker

Manny Diaz
Chair

COMMITTEE MEETING REPORT

Choice & Innovation Subcommittee

1/6/2015 2:00:00PM

Location: 306 HOB

Summary: No Bills Considered

COMMITTEE MEETING REPORT

Choice & Innovation Subcommittee

1/6/2015 2:00:00PM

Location: 306 HOB

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Manny Diaz, Jr. (Chair)	X		
Janet Adkins	X		
Dennis Baxley	X		
Colleen Burton	X		
Robert Cortes	X		
Larry Metz	X		
W. Keith Perry	X		
Elizabeth Porter	X		
Irving Slosberg	X		
Cynthia Stafford	X		
Richard Stark	X		
Charlie Stone	X		
Alan Williams	X		
Totals:	13	0	0

COMMITTEE MEETING REPORT

Choice & Innovation Subcommittee

1/6/2015 2:00:00PM

Location: 306 HOB

Presentation/Workshop/Other Business Appearances:

Adam Miller, Executive Director of Independent Education and Parental Choice (State Employee) (At Request Of Chair) - Information Only
Department of Education
325 W. Gaines Street
Tallahassee FL 32399
Phone: 850-245-0998

Committee Meeting Notice

HOUSE OF REPRESENTATIVES

Choice & Innovation Subcommittee

Start Date and Time: Tuesday, January 06, 2015 02:00 pm
End Date and Time: Tuesday, January 06, 2015 04:00 pm
Location: 306 HOB
Duration: 2.00 hrs

Overview of school choice programs

Update on implementation of CS/HB 7029 (2013) - Digital Learning

Update on implementation of CS/CS/SB 850 - Personal Learning Scholarship Accounts

NOTICE FINALIZED on 12/19/2014 12:26 by Flynn.Kaley



Education Committees

Member's Briefing Book

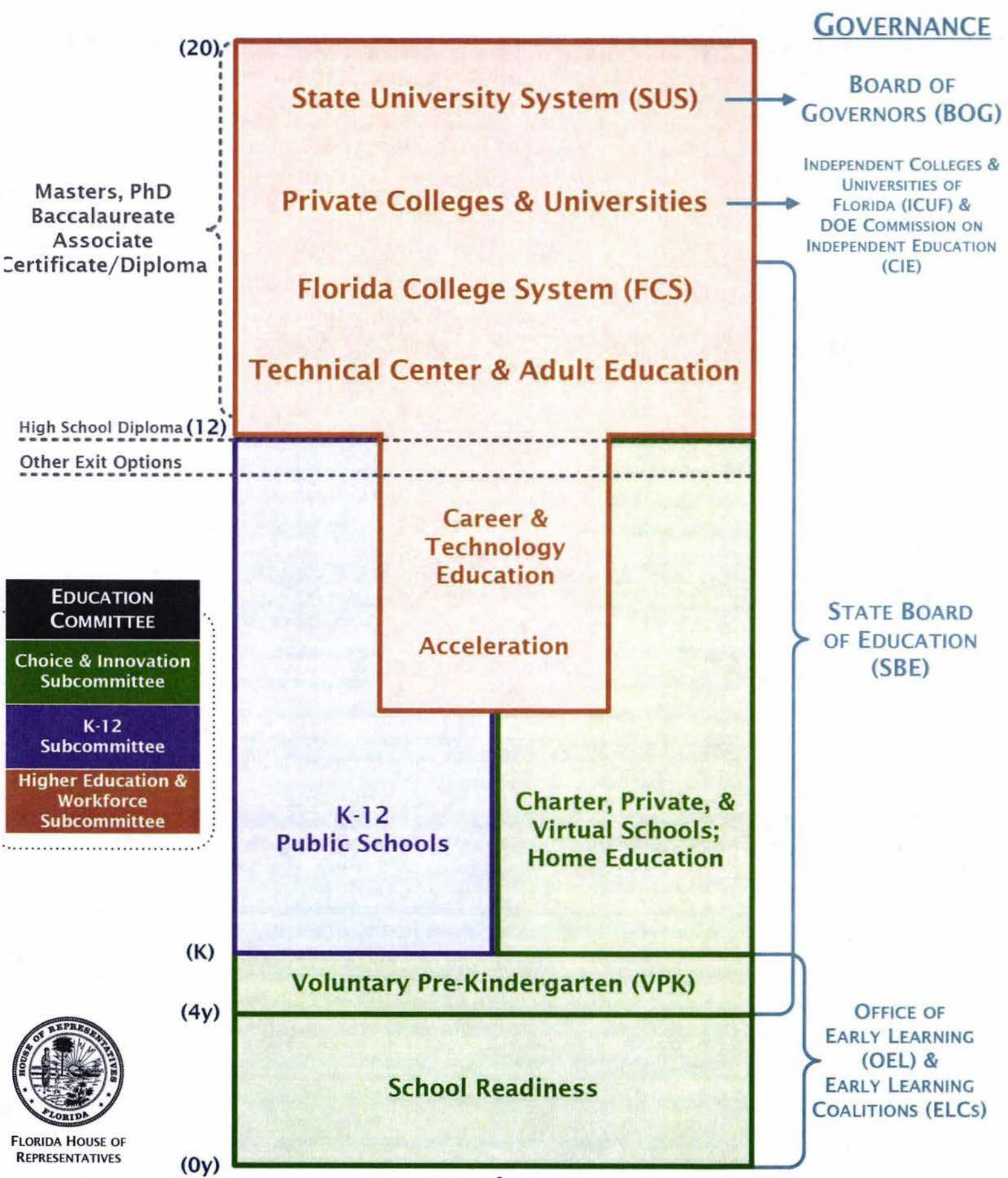
Steve Crisafulli
Speaker

H. Marlene O'Toole
Chair

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FLORIDA'S PREK-20 EDUCATION SYSTEM



EDUCATION COMMITTEE

Contact Number	Name
717-4830	Education (EDC)
	Kathy Mizereck, Staff Director kathy.mizereck@myfloridahouse.gov
	Jason Fudge, Deputy Staff Director jason.fudge@myfloridahouse.gov
	Ann Gilliam, Senior Administrative Assistant ann.gilliam@myfloridahouse.gov
	Margaret Thomas, Legislative Analyst margaret.thomas@myfloridahouse.gov
717-4831	Choice & Innovation (CIS)
	Jean Healy, Policy Chief jean.healy@myfloridahouse.gov
	Gavin Beagle, Senior Attorney gavin.beagle@myfloridahouse.gov
	Kaley Flynn, Legislative Research Assistant kaley.flynn@myfloridahouse.gov
717-4832	Higher Ed & Workforce (HEWS)
	Heather Sherry, Policy Chief heather.sherry@myfloridahouse.gov
	Tracy Banner, Senior Legislative Analyst tracy.banner@myfloridahouse.gov
	Ann Gilliam, Senior Administrative Assistant ann.gilliam@myfloridahouse.gov
717-4833	K-12 (KTS)
	Jason Fudge, Policy Chief jason.fudge@myfloridahouse.gov
	Adam Brink, Attorney adam.brink@myfloridahouse.gov
	Kaley Flynn, Legislative Research Assistant kaley.flynn@myfloridahouse.gov



The Florida House of Representatives
Office of the Clerk

Will Weatherford
Speaker

Bob Ward
Clerk

MEMORANDUM

TO: Members of the Florida House of Representatives
FROM: Bob Ward, Clerk of the House
DATE: August 29, 2014
RE: 2015 Interim Committee Meeting Schedule and Other Important Dates

Please be advised that Speaker-designate Steve Crisafulli has authorized the schedule for interim committee meetings as follows:

- The week of January 5
- The week of January 20 (Begins on Tuesday in observance of the Martin Luther King Holiday)
- The week of February 2
- The week of February 9
- The week of February 16

During the week of December 8, 2014, there will be training for new House Members and new district staff.

Please note the following important dates:

- Organization Session will convene on Tuesday, November 18, 2014
- Regular Session will convene on Tuesday, March 3, 2015

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

Legislative Liaison Contacts

 <p>FLORIDA DEPARTMENT OF EDUCATION <small>fdoe.org</small></p> <p>State Board of Education Commission for Independent Education Career and Adult Education</p>	<p>http://www.fdoe.org</p> <p>Tanya Cooper – Tanya.Cooper@fdoe.org Benjamin Palazesi – Benjamin.Palazesi@fdoe.org</p> <p>Phone: (850) 245-0507</p>
 <p>THE Florida COLLEGE SYSTEM</p>	<p>http://www.fdoe.org</p> <p>Kasongo Butler – Kasongo.Butler@fdoe.org Phone: (850) 245-9455</p>
 <p>STATE UNIVERSITY SYSTEM of FLORIDA Board of Governors</p>	<p>www.flbog.edu</p> <p>Carrie O'Rourke - Carrie.ORourke@fbog.edu Phone: (850) 245-9717</p>
 <p>ICUF <i>Independent Colleges & Universities of Florida</i></p>	<p>http://www.icuf.org</p> <p>Robert J. (Bob) Boyd – bboyd@ssclawfirm.com Phone: (850) 955-7500</p>
 <p>Florida Office of Early Learning</p> <p><small>the florida office of early learning - child care and early education programs</small></p> <p><small>Rick Scott Governor Shari Gelf Director</small></p>	<p>http://www.floridaearlylearning.com</p> <p>Elizabeth Moya – Elizabeth.moya@oel.myflorida.com Phone: (850) 717-8551</p>



What is “developmental education”?

Developmental education is instruction through which a high school graduate who applies for any college credit program may attain the communication and computation skills necessary to successfully complete college credit instruction.¹ It may be delivered through a variety of accelerated and corequisite strategies, including:

- Modularized instruction that is customized and targeted to address specific skills gaps.
- Compressed course structures that accelerate student progression from developmental instruction to college level coursework.²
- Contextualized developmental instruction that is related to meta-majors³.
- Corequisite developmental instruction or tutoring that supplements credit instruction while a student is concurrently enrolled in a credit-bearing course.⁴

Developmental education instruction may be offered by the 28 institutions in the Florida College System (FCS) and the Florida Agricultural and Mechanical University (FAMU). Other state universities may contract with a FCS institution for the provision of developmental education instruction on the university’s campus.⁵

Florida law affords institutions great flexibility to deliver developmental education through a variety of methods. In 2013, the legislature eliminated the prohibition on concurrent enrollment in developmental education instruction and college credit coursework addressing the same skills.⁶ Thus, students may receive developmental education instruction at the same time they earn college-credit, thereby accelerating their progression towards attainment of a degree. Students may also receive instruction prior to entering into credit-bearing courses. Students may retake developmental education courses up to two times before they will be required to pay 100 percent of the cost of instruction for the course.⁷

How do colleges assess student readiness for college-level coursework?

There are a variety of indicators of college readiness that postsecondary institutions can use to determine if a student has the necessary skills to succeed in college-level coursework. Such indicators may include, but are not limited to, the following:

College Placement Test

The State Board of Education (state board), in conjunction with the Board of Governors must develop and implement a common placement test to assess students’ basic computation and communication skills.⁸

¹ Section 1008.02(1), F.S.

² Such college level courses will typically consist of gateway courses, or the first courses that provide transferable, college-level credit allowing a student to progress in his or her program of study.

³ “Meta-major” is defined as a collection of programs of study or academic discipline groupings that share common foundational skills. Section 1008.02(3), F.S.

⁴ Section 1008.02, F.S.

⁵ Section 1008.30(6)(c), F.S.

⁶ See Section 19, ch. 2013-51, L.O.F., amending Section 1008.30, F.S

⁷ Section 1009.28, F.S.

⁸ Sections 1001.03(10) and 1008.30(1), F.S.

The test currently used to meet the assessment requirement is the Postsecondary Education Readiness Test (PERT), developed by McCann Associates for the Department of Education (DOE). The PERT is aligned to the state's recently developed Postsecondary Readiness Competencies in reading, writing, and mathematics and may be administered on a computer or as a paper test. It has diagnostic capabilities that identify skill deficiencies and allow developmental education offered by FCS institutions to be tailored to a student's individual needs.⁹

Alternative Assessments

The state board has also identified alternative assessments, the College Board's Accuplacer and SAT-I and the American College Testing Program's Enhanced ACT, which are accepted in lieu of the PERT for placement purposes.¹⁰ Additionally, state board rule allows FCS institutions to utilize statewide standardized test scores in Reading and Mathematics.¹¹ Accordingly, scores from the CPT, PERT, SAT-I, or ACT may be accepted by FCS and State University System (SUS) institutions, and FCAT scores may be accepted by FCS institutions for purposes of assessing a student's readiness for college-level coursework.¹²

Other Methods

Each FCS Board of Trustees must develop a plan which includes, at a minimum, local policies that outline documented student achievements such as grade point average, work history, military experience, participation in juried competitions, career interests, degree major declaration, or any combination of such activities that the institution may consider in addition to common placement test scores, for advising students regarding enrollment options.¹³

Who is required to take the PERT upon entry to an FCS institution?

All First-Time-In-College (FTIC) students who have not either met college level competencies through the completion of developmental education requirements or been awarded credit for college-level coursework shall be assessed prior to the completion of initial registration.¹⁴ The following students are exempt from this requirement:

- Students who entered the 9th grade in a Florida public school in the 2003-2004 school year, or any year thereafter, and graduated with a standard high school diploma; and
- Students who presently serve as active-duty members of any branch of the U.S. Armed Services.¹⁵

Students who meet the exemption criteria may opt to take the PERT and participate in developmental education.¹⁶

Are high school students assessed for college-readiness?

Yes. High schools administer the PERT to all students in 11th grade who scored at Level 2 or 3 on the Reading or the English Language Arts portion of the 10th grade state standardized assessment or Levels 2 through 4 on the required Algebra I assessment.¹⁷ Students who demonstrate college readiness by achieving scores established by the state board on alternate assessments are not required to take the PERT.¹⁸ When a

⁹ See Florida Department of Education, Division of Florida Colleges: Correspondence, *Postsecondary Education Readiness Test (PERT) Transition Plan Memorandum*, (Aug. 5, 2010), <http://www.fldoe.org/fcs/OSAS/correspondence.asp> (last visited July 24, 2014).

¹⁰ Rule 6A-10.0315(2)(a), F.A.C.

¹¹ Rule 6A-10.0315(2)(d), F.A.C.

¹² Section 1008.30(3), F.S.; rule 6A-10.0315(1), F.A.C.

¹³ Section 1008.30(6)(a)1., F.S.

¹⁴ Rule 6A-10.0315(1)(b), F.A.C.

¹⁵ Section 1008.30(4)(a), F.S.

¹⁶ *Id.*

¹⁷ Section 1008.30(3), F.S.

¹⁸ Rule 6A-10.0315(2), F.A.C.

student does not achieve the minimum scores necessary to demonstrate college readiness on either the PERT or an alternative assessment, the school must use the test results to advise the student of identified deficiencies and provide appropriate postsecondary preparatory instruction during his or her 12th grade year. The student is required to complete the postsecondary preparatory instruction prior to high school graduation.¹⁹

How are students advised of developmental education options?

FCS institutions must provide admissions counseling to students entering a college or career credit program.²⁰ In the case of a student who is not exempt from placement testing, such counseling must use tests to measure achievement of college-level communication and computation competencies.²¹ The counseling must also provide developmental education options to students whose test scores indicate the need to improve communication or computation skills essential to perform college-level work.²² Institutions must counsel students into college credit courses as quickly as possible and limit the delivery of developmental education to only the content necessary for success in a student's chosen meta-major.²³ Each FCS institution board of trustees must establish policies for the purpose of notifying students about developmental education options essential to performing college-level work, including:

- Tutoring;
- Extended time in gateway²⁴ courses;
- Free online courses;
- Adult basic education;
- Adult secondary education; or
- Private provider instruction.²⁵

Any student who takes the PERT²⁶ and whose score on the test indicates a need for developmental education must be advised of all the developmental education options offered at the institution. After the FCS institution has so advised the student, it must allow the student to enroll in the developmental education option of his or her choice.²⁷

How are FCS institutions held accountable for their developmental education program offerings?

Each FCS institution must prepare an annual accountability report which includes student success data relating to each developmental education option implemented by the institution.²⁸ Starting in 2015, FCS institutions must submit the report to the Division of Florida Colleges by October 31 in a format determined by the chancellor of the FCS. The chancellor must compile the reports and submit them to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the state board by December 31, each year.²⁹

¹⁹ *Id.*; rule 6A-10.0315(2), F.S.

²⁰ Section 1007.263(1), F.S.

²¹ The competencies diagnosed by the PERT must be those essential for success in meta-majors. The testing program must have the capacity to provide information to students on the specific skills they must attain. Section 1008.30(2), F.S.

²² Section 1007.263(1), F.S.

²³ Section 1008.30(5), F.S.

²⁴ "Gateway course" is defined as the first course that provides transferrable, college-level credit allowing a student to progress in his or her program of study. Section 1008.02(2), F.S.

²⁵ Section 1007.263, F.S.

²⁶ This includes those students who opt to test but are not required to do so. See Section 1008.30(4)(a).

²⁷ Section 1008.30(4)(b).

²⁸ Section 1008.30(6)(b), F.S.

²⁹ *Id.*

Where may I get additional information?

Florida Department of Education

Division of Florida Colleges

(850) 245-0407

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

Florida House of Representatives

Education Committee

(850) 717-4830

<http://www.myfloridahouse.gov>

EDUCATION COMMITTEE
Kathy Mizereck, Staff Director
Jason Fudge, Deputy Staff Director
Margaret Thomas, Legislative Analyst
Ann Gilliam, Senior Administrative Assistant
Kaley Flynn, Legislative Research Assistant

Jurisdiction

The Education Committee considers matters related to Florida's education system, from prekindergarten to graduate school - "PreK-20." Entities 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 PreK) and providers
- Public K-12 school district programs and personnel
- Charter school programs, providers and personnel
- Private and home education K-12 programs
- Online education programs and providers at all levels
- Technical centers and workforce, career and adult education programs and providers
- Public and nonpublic postsecondary institutions

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. She 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 K-12 Subcommittee. He has 14 years of experience as an attorney including the Florida Department of Education, the Public Service Commission, and the House.

Margaret Thomas is a Legislative Analyst for the Education Committee. She has over 20 years of experience in education, including three years in the Florida Department of Education. She has served in the House for 17 years working on issues regarding the Florida College System, postsecondary student fees and waivers, and the Bright Futures Scholarship Program.

Ann Gilliam is the Senior Administrative Assistant to both the Education Committee and the Higher Education and Workforce Subcommittee. She has 20 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 Flynn is the Legislative Research Assistant and the Administrative Assistant to both the Choice and Innovation Subcommittee and the K-12 Subcommittee. She previously worked for the Office of the Attorney General.

HIGHER EDUCATION & WORKFORCE SUBCOMMITTEE
Heather Sherry, Policy Chief
Tracy Banner, Senior Legislative Analyst

Jurisdiction

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

- Public and nonpublic postsecondary institutions
- 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

Postsecondary Education Tuition and Fees

The bill expanded affordable access to higher education for all Floridians by:

- Revising the Florida Prepaid College Program to reduce contract costs and require that the amount paid to a state university for an advance payment contract may not exceed 100 percent of the amount charged by the university
- Eliminating the automatic annual rate of inflation increases currently authorized for state universities, Florida College System institutions, and workforce education programs
- Establishing uniform block tuition for all adult education students
- Limiting the authority of the Board of Governors to approve a tuition differential increase to only a state university that is designated preeminent. The amount a preeminent university may request is limited to a total of 6 percent provided the university meets certain performance metrics
- Expanding fee waivers for Purple Heart recipients to include career centers; and
- Providing a waiver of out-of-state postsecondary fees for students, including but not limited to, students who are undocumented for federal immigration purposes and who:
 1. Attended a Florida secondary school for 3 consecutive years
 2. Apply for enrollment in a postsecondary institution within 24 months after graduation, and
 3. Submit a high school transcript as documentary evidence of attendance and graduation

Students who qualify for the out-of-state fee exemptions are eligible for the waiver for up to 110 percent of the credit hours required for a degree or certificate, but are not eligible for state financial aid. These students must be counted as out-of-state students for purposes of calculating the system-wide total enrollment of non-resident students in the State University System. Postsecondary institutions must prioritize the enrollment of veterans over students who are eligible for the out-of-state fee waiver.

The bill amended provisions relating to the determination of residency status for tuition purposes by:

- Expanding the definition of “parent” and reducing the amount of time a student must live with an adult relative to qualify for residency from five years to three years
- Clarifying that the immigration status of the parent of a dependent child, who is a U.S. citizen, cannot be the sole basis for denial of classification as a resident for tuition purposes; and
- Clarifying language relating to the impact of marriage on residency classification

Staff Biographies

Heather R. Sherry, Ph.D., is the Policy Chief for the Higher Education and Workforce Subcommittee. She has worked in the postsecondary field since 1996, including positions with the Postsecondary Education Planning Commission, MGT of America, the Florida College System, and the Florida Department of Education, where she served as director of K-20 Articulation immediately prior to her service in the House.

Tracy J. Banner, Ph.D., joins the committee staff as a Senior Legislative Analyst after serving as a legislative budget coordinator for the Department of Education. Previously, she worked in various educational policy settings including the Governor’s Office of Policy and Budget, the Florida Board of Governors, and the Florida State University Center for Education Research and Policy Studies.

CHOICE & INNOVATION SUBCOMMITTEE

Jean Healy, Policy Chief

Gavin Beagle, Senior Attorney

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
- Florida Personal Learning Scholarship Accounts
- Controlled open enrollment
- Virtual instructional programs (private, district -run and the Florida Virtual School)
- Student athletics
- Charter schools

Overview of Recently Passed Legislation

Education Data Privacy

On September 23, 2013, after receiving feedback from stakeholders during the Governor's Education Summit, the Governor issued an Executive Order which, among other things, directed the Commissioner of Education to review and make recommendations for improving state policies regarding student data privacy and security. In response, the Legislature passed CS/CS/SB 188 strengthening the law regarding student data privacy and security by prohibiting educational agencies and institutions from collecting information regarding the political affiliation, voting history, religious affiliation, or biometric information of a student or student's parent or sibling. The law also required the Florida Department of Education to create a statewide process for assigning students identification numbers that are not social security numbers (SSN), thereby phasing out the use of SSNs for that purpose.

Single-Gender Public School Programs

Single-gender classrooms and schools are permitted under Florida law. Participation in single-gender schools, classes, and extracurricular activities must be voluntary. At least every two years, the school district must evaluate each single-gender school, class, and extracurricular activity to ensure compliance with federal regulations. The Legislature provided additional guidelines for establishing single-gender schools by passing CS/HB 313. The main provisions in the bill included: expanding student eligibility; requiring specific professional development for teachers and administrators; and requiring school districts to provide the Department of Education with a comparison of the academic performance of students in gender-specific schools with the academic performance of students in other public schools.

Staff Biographies

Jean Healy is the Policy Chief for the Choice and Innovation Subcommittee. Prior to that, she was the Senior Legislative Analyst for the Higher Education and Workforce Subcommittee and the Choice and Innovation Subcommittee. She worked for 13 years at the Florida Department of Education in Exceptional Student Education, Funding and Financial Reporting, and as Deputy Executive Director for Independent Education and Parental Choice for seven years. She began work with the House Education Committee in 2012.

Gavin E. Beagle is the Senior Attorney for the Choice and Innovation Subcommittee. He has worked as a home health care aide for persons with disabilities, and as a corporate legal assistant. Since 2005, he has served as a staff attorney in the House Education Committee.

K-12 SUBCOMMITTEE
Jason Fudge, Policy Chief
Adam Brink, Attorney

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
- Education accountability and school improvement
- Curriculum standards, student assessment, student progression, acceleration options, and high school graduation
- Student performance, attendance, and conduct
- School district personnel recruitment, employment, evaluation, and training
- 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

Instructional Materials

The law specified that each school district has the constitutional duty and responsibility to select and provide adequate instructional materials for all the district's students and is responsible for the content of all instructional materials used in a classroom, whether adopted from the state-adopted list, adopted through a district program, or otherwise purchased or made available in a classroom. Each district school board must establish a process for public review and comment on recommended instructional materials and to resolve a parent's objection to his or her child's use of a specific instructional material.

Middle Grades Education

Schools that include any of grades 6, 7, or 8 are now required to establish early warning systems that identify students who are at risk of dropping out and provide interventions for identified students. In addition, middle grade students are now subject to certain anti-hazing provisions.

Juvenile Justice Education

The law increased collaboration among the Department of Education, Department of Juvenile Justice, and juvenile justice programs by enhancing the collection and reporting of student performance and cost data, providing oversight and guidance of educational transition planning and services, and requiring development of an individualized transition plan during a student's stay at a juvenile justice program.

Staff Biographies

Jason Fudge is the Deputy Staff Director of the Education Committee and also the Policy Chief for the K-12 Subcommittee. He has 14 years of experience as an attorney including the Florida Department of Education, the Public Service Commission, and the House.

Adam Brink is the Attorney for the K-12 Subcommittee. He served as an intern in the Regulated Industries Committee of the Florida Senate and as an attorney in private practice.