

Tab 1 CS/SB 86 by ED, Baxley; (Compare to H 00281) Student Financial Aid							
666218	D	S	RCS	AED, Baxley	Delete everything after	03/24 07:51 PM	
394796	AA	S	UNFAV	AED, Polsky	btw L.183 - 184:	03/24 07:51 PM	
606296	AA	S	UNFAV	AED, Cruz	Delete L.376 - 468:	03/24 07:51 PM	

Tab 2 CS/SB 486 by ED, Bradley; (Similar to H 00723) Juvenile Justice Education Programs							
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Tab 3 SB 1372 by Burgess; (Similar to CS/H 00003) Literacy Improvement							
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Tab 4 SB 1898 by Rodriguez; (Similar to H 07011) Student Literacy							
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The Florida Senate
COMMITTEE MEETING EXPANDED AGENDA

APPROPRIATIONS SUBCOMMITTEE ON EDUCATION

Senator Broxson, Chair

Senator Diaz, Vice Chair

MEETING DATE: Tuesday, March 23, 2021

TIME: 10:30 a.m.—12:00 noon

PLACE: Pat Thomas Committee Room, 412 Knott Building

MEMBERS: Senator Broxson, Chair; Senator Diaz, Vice Chair; Senators Cruz, Gibson, Gruters, Hutson, Passidomo, Polsky, and Wright

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
PUBLIC TESTIMONY WILL BE RECEIVED FROM ROOM A3 AT THE DONALD L. TUCKER CIVIC CENTER, 505 W PENSACOLA STREET, TALLAHASSEE, FL 32301			
1	CS/SB 86 Education / Baxley (Compare H 281, CS/CS/S 52)	Student Financial Aid; Requiring the Board of Governors of the State University System to create an online dashboard; revising eligibility for an award under the Bright Futures Scholarship Program or the Benacquisto Scholarship Program; revising the formula for calculating how Florida Public Student Assistance Grant Program funds are distributed; authorizing a Florida Bright Futures Scholarship recipient to apply the unused portion of a Florida Academic Scholars award or Florida Medallion Scholars award toward graduate study for a specified academic year; establishing the Florida Bright Opportunities Grant Program; establishing the Florida Endeavor Scholarship Program, etc. ED 03/09/2021 Temporarily Postponed ED 03/16/2021 Fav/CS AED 03/23/2021 Fav/CS AP	Fav/CS Yeas 6 Nays 3
2	CS/SB 486 Education / Bradley (Similar H 723)	Juvenile Justice Education Programs; Increasing the percentage of certain funds that must be spent on specified costs; requiring that contracts between district school boards and juvenile justice education programs be in writing; requiring the Department of Education to provide mediation services for certain disputes; prohibiting school boards from delaying certain payments pending receipt of local funds, etc. ED 03/02/2021 Fav/CS AED 03/23/2021 Temporarily Postponed AP	Temporarily Postponed

COMMITTEE MEETING EXPANDED AGENDA

Appropriations Subcommittee on Education

Tuesday, March 23, 2021, 10:30 a.m.—12:00 noon

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
3	SB 1372 Burgess (Similar CS/H 3)	Literacy Improvement; Establishing the New Worlds Reading Initiative under the Department of Education; requiring the administrator, in consultation with a specified entity, to develop a selection of books; requiring the administrator to coordinate monthly book distribution to certain students; requiring the administrator to assist with local implementation of the initiative; requiring that a certain notification include information about the initiative, etc. ED 03/16/2021 Favorable AED 03/23/2021 Temporarily Postponed AP	Temporarily Postponed
4	SB 1898 Rodriguez (Similar H 7011, Compare H 419, H 1159, CS/S 934, S 1282)	Student Literacy; Revising and providing duties for the Just Read, Florida! Office within the Department of Education; requiring the Department of Education, in consultation with the Office of Early Learning, to implement a coordinated screening and progress monitoring system for students in the Voluntary Prekindergarten Education Program through grade 8; requiring certain students to participate in a certain coordinated screening and progress monitoring system; creating the "Reading Achievement Initiative for Scholastic Excellence Act", etc. ED 03/16/2021 Favorable AED 03/23/2021 Temporarily Postponed AP	Temporarily Postponed
Other Related Meeting Documents			

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 Appropriations Subcommittee on Education

BILL: PCS/CS/SB 86 (745108)

INTRODUCER: Appropriations Subcommittee on Education; Education Committee; and Senator Baxley

SUBJECT: Student Financial Aid

DATE: March 23, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Jahnke	Bouck	ED	Fav/CS
2. Underhill	Elwell	AED	Recommend: Fav/CS
3. _____	_____	AP	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/CS/SB 86 modifies provisions relating to postsecondary financial aid programs, and establishes new financial aid programs for Pell Grant eligible students and students without a high school diploma. Specifically, the bill:

- Requires the Board of Governors (BOG) office to create an online dashboard of data regarding state university graduates, which must include post-graduation salary; student loan debt; debt-to-income ratio; estimated loan payment as a percentage of income; and percentage of graduates who have continued their education.
- Requires each state university board of trustees to adopt procedures to connect undergraduate students to career planning, coaching, and related programs during the first academic year of the student's enrollment.
- Clarifies that postsecondary tuition and fee exemptions apply to a student who is currently in the custody of the Department of Children and Families or a specified relative or nonrelative, or who was at the time he or she reached 18 years of age.
- Requires the BOG, State Board of Education (SBE), and the Independent Colleges and Universities of Florida (ICUF) to each identify and publish a list of career certificate, undergraduate, and graduate degree programs that do not lead directly to employment.
- Modifies the Florida Bright Futures Scholarship Program by:
 - Changing that the Florida Academic Scholars (FAS) and Florida Medallion Scholars (FMS) award amounts shall be specified in the General Appropriations Act (GAA).

- Creating additional eligibility options for FAS and FMS awards for students who earn an associate degree through dual enrollment or who earn an Advanced Placement Capstone Diploma.
- Specifies that the 2021-2022 academic year is the final year of initial eligibility for nonresident students to qualify for the Benacquisto Scholarship Program, and modifies that the award shall be specified in the GAA.

The bill does not require an additional appropriation for the 2020-2021 fiscal year. The net effect of the provisions in the bill for the out years is indeterminate at this time. See Section V.

The bill takes effect July 1, 2021.

II. Present Situation:

The present situation for each relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

III. Effect of Proposed Changes:

Career Planning and Information

Present Situation

Florida Economic Security Report

The Florida Economic Security Report¹ details the economic outcomes of recent completers from Florida's public postsecondary education institutions. Data from the District Technical Centers (DTCs), the Florida College System (FCS), and the State University System of Florida (SUS) are included in this report. The report documents the variation in first and fifth-year earnings among completers who earned certificates, diplomas, or degrees from Florida's three public postsecondary educational systems. The report also presents data on the percentage of completers from various institutions who received public assistance, as well as the percentage of completers that are enrolled in continuing education programs. The average federal debt acquired by all students (not just graduates) is also reported.²

Florida Education & Training Placement Information Program

The Florida Education and Training Placement Information Program (FETPIP)³ is a data collection and consumer reporting system established to provide follow-up data on former students and program participants who have graduated, exited or completed a public education or training program within the state of Florida. A major goal of Florida's K-20 Education system is to improve employment and earnings outcomes for all students. This information is part of the performance accountability processes for all parts of the K-20 system and serves as an indicator of student achievement and program needs. The reports provided by FETPIP may assist

¹ Section 445.07 F.S.

² Florida Department of Economic Opportunity, *Economic Security Report 2019* (Feb. 2020) available at [https://www.floridajobs.org/docs/default-source/state-program-reports/2020-state-program-report/2019-esr-\(final\)143322a4cbbb61cbb02aff01004f56df.pdf](https://www.floridajobs.org/docs/default-source/state-program-reports/2020-state-program-report/2019-esr-(final)143322a4cbbb61cbb02aff01004f56df.pdf).

³ Section 1008.39, F.S.

educators and parents to better prepare and counsel students for success in their future education or career choices.⁴

Board of Governors - Baccalaureate Follow-up Study

The Board of Governors (BOG) currently conducts a 1, 5, and 10 year employment and continuing education outcomes study of state university baccalaureate graduates.⁵ The study is designed to better understand the employment and education outcomes of graduates over time and provides critical information to students, parents, educators, and policy-makers about the experiences of graduates after completing a baccalaureate degree from the state university system.⁶ The BOG uses the results of the study to monitor the progress toward meeting the goals and objectives of the BOG's 2025 System Strategic Plan.

The results of BOG's study found that the majority of graduates were employed 1, 5, and 10 years after graduation, with earnings that increase over time. A significant number of graduates continued to pursue additional education, with many completing at least one additional credential.⁷

State University System Career Centers

All of the state universities offer career services to students and alumni. Career services have evolved over time and continue to change to meet the needs of today's students, technological advancements, workforce demands, and campus culture.⁸ The directors of the SUS career centers form the Florida Career Centers Consortium and exchange best practices to enhance career readiness for students and alumni.⁹ The SUS Career Centers:

- Engage with students early on and frequently to develop career plans;
- Collaborate with faculty to embed career frameworks in curricular offerings;
- Support students with degree and career choices by sharing salary and potential employment options;
- Prepare students for professional work environment by providing soft skill training assistance with professional attire and internship opportunities;
- Connect and partner with employers to ensure graduates are prepared to meet workforce needs; and
- Assist students in securing employment after graduation through online platforms, connecting students with mentors, and career fairs.¹⁰

⁴ Florida Department of Education (DOE), *Florida Education & Training Placement Information Program*, <http://www.fldoe.org/accountability/fl-edu-training-placement-info-program/> (last visited Mar. 16, 2021).

⁵ Florida Board of Governors (BOG), *Baccalaureate Follow-up Study: Employment and Education Outcomes 1, 5, and 10 Years After Graduation* (August 2020) available at https://www.flbog.edu/wp-content/uploads/TAWA_03b_Baccalaureate_Follow-up_CE.pdf.

⁶ *Id.*

⁷ *Id.*

⁸ BOG, *Information Brief, How SUS Career Services Impact Student Success* (October 2019) available at https://www.flbog.edu/wp-content/uploads/SPC_07b_Career-Centers-Info-Brief_CE.pdf.

⁹ BOG, *Career Services and Student Success* (October 2019) available at https://www.flbog.edu/wp-content/uploads/SPC_07_October_Career-Services-and-Student-Success_CE.pdf.

¹⁰ BOG, *Information Brief, How SUS Career Services Impact Student Success* (October 2019) available at https://www.flbog.edu/wp-content/uploads/SPC_07b_Career-Centers-Info-Brief_CE.pdf.

Effect of Proposed Changes

The bill creates s. 1006.75, F.S., to establish a new requirement connecting state university undergraduate students to career information. Specifically, the bill:

- Requires the BOG to create an online dashboard by January 1, 2022. The dashboard must present data, by academic discipline, of state university graduates, including at least the following information:
 - Post-graduation median salary 1, 5, and 10 years after graduation;
 - Median student loan debt;
 - Debt-to-income ratio;
 - Estimated monthly loan payment as a percentage of gross monthly income; and
 - The percentage of graduates who have continued their education beyond the baccalaureate level.
- Requires a link to the dashboard to be prominently displayed on each state university's office of admission's website.

Additionally, the bill requires each state university board of trustees to adopt procedures to connect undergraduate students to career planning, coaching, and related programs during the student's first academic year of enrollment. The BOG must approve the procedures by March 1, 2022, which include placing a hold on student registration before the end of each student's first year until the student:

- Registers with the university's career center;
- Completes a career center readiness training module provided by the career center;
- Is directed toward the online dashboard;
- Acknowledges that he or she has been provided information about career planning and is aware of the employment and wage prospects for his or her declared.

Identification of Certificate and Degree Programs Aligned to Labor Market Demand

Present Situation

Board of Governors - Programs of Strategic Emphasis

The Programs of Strategic Emphasis (PSE) exists as one of several tools for aligning the degree production goals of the State University System with the economic and workforce needs of Florida.¹¹ Periodically, the BOG revises the PSE list through an analysis of the current reports and data of key economic and workforce councils in Florida. These "key councils" include Enterprise Florida, Inc., the Council of 100, the Florida Chamber of Commerce, and the Department of Economic Opportunity.¹² This process identifies occupational areas with high demand for postsecondary graduates and provides an opportunity to identify emerging and

¹¹ BOG, *Methodology for Updating Programs of Strategic Emphasis in the State University System of Florida* (September 2020) available at https://www.flbog.edu/wp-content/uploads/CIP_2020_PSE_Methodology_CE_FINAL.pdf.

¹² BOG, *Methodology for Updating Programs of Strategic Emphasis in the State University System of Florida, Board of Governors 2019 Mid-Course Correction - 2025 Strategic Plan* (September 2019) available at https://www.flbog.edu/wp-content/uploads/SPC_06c_2019_PSE_Methodology_and_list_CE.pdf.

evolving business sectors and occupations.¹³ The current list of PSE includes 868¹⁴ programs in the following areas:¹⁵

- Education;¹⁶
- Healthcare;¹⁷
- Global Competitiveness;¹⁸
- STEM;¹⁹ and
- Gap Analysis.²⁰

The BOG tracked their baccalaureate graduates into the workforce and found 92 percent of the graduates were employed one year after graduation, with 71 percent employed full-time.²¹ The PSE degree fields accounted for the top five fields of study where baccalaureate graduates were found employed full-time one year after graduation.²²

Department of Education – Career and Technical Education Audit

Governor Ron DeSantis issued Executive Order Number 19-31²³ to chart a course for Florida to become number one in the nation in workforce education, with the goal of ensuring students are prepared to succeed in jobs of the future and satisfy Florida's growing workforce demands.²⁴ Governor DeSantis directed the Commissioner of Education (commissioner) to audit course offerings in career and technical education (CTE).

¹³ State University System of Florida, *Programs of Strategic Emphasis* <https://www.flbog.edu/resources/academic/programs-of-strategic-emphasis/> (last visited Mar. 2, 2021).

¹⁴ BOG, *Current PSE list approved by the BOG at its September 2020 meeting (September 2020)* available at <https://www.flbog.edu/wp-content/uploads/Current-PSE-list-approved-by-the-BOG-at-its-September-2020-meeting-PDF.pdf>.

¹⁵ BOG, *Methodology for Updating Programs of Strategic Emphasis in the State University System of Florida* (September 2020) available at https://www.flbog.edu/wp-content/uploads/CIP_2020_PSE_Methodology_CE_FINAL.pdf.

¹⁶ Largely based upon the annual State Board of Education list of critical teacher shortage areas.

¹⁷ Based primarily on the Florida Department of Economic Opportunity workforce projections.

¹⁸ Includes degree programs that assist in making the SUS globally competitive can be found throughout the system across many disciplines, especially within the sciences, engineering, and information technology programs.

¹⁹ Includes science, technology, engineering, and mathematics disciplines. The primary references used were the Florida Department of Economic Opportunity, the Department of Homeland Security, the National Science Foundation, and the Washington State Education Research and Data Center.

²⁰ Includes degree programs leading to the occupational categories projected to be critically under-supplied in the Board of Governors' analysis of labor market projections and related degree production. Consequently, the academic programs included in this category correspond to Florida's high-need, high-wage occupational areas identified through the gap analysis. BOG, *The 2019 Gap Analysis: Explanation of Method* (July 2019) available at https://www.flbog.edu/wp-content/uploads/SPC_06d_2019_Gap_Analysis_Methodology_CE.pdf.

²¹ BOG, *Baccalaureate Follow-up Study: Employment and Education Outcomes 1 ,5, and 10 Years After Graduation* (August 2020) available at https://www.flbog.edu/wp-content/uploads/TAWA_03b_Baccalaureate_Follow-up_CE.pdf. The current study was based on individual-level data for 349,543 graduates from the State University Data System (SUDS). These records were matched to records from the National Student Clearinghouse (NSC) and the Florida Department of Economic Opportunity (DEO). *Id.*

²² *Id.* Engineering Technician; Engineering; Computer & Information Sciences; Business & Marketing; and Education.

²³ Office of the Governor, *Executive Order Number 19-31, January 30, 2019* available at https://www.flgov.com/wp-content/uploads/orders/2019/EO_19-31.pdf.

²⁴ DOE, *Executive Order 19-31 Interim Report on Florida's Career and Technical Education Audit, July 11, 2019* available at <http://www.fldoe.org/core/fileparse.php/18788/urlt/EO19-31InterimReport.pdf>.

Additionally, the order directed the commissioner to develop a methodology for annual audits to include a review of student outcomes and alignment between:

- Programs offered at K-12 and postsecondary levels;
- Professional-level industry certifications; and
- High-growth, high-demand and high-wage employment opportunities.²⁵

The commissioner is required to annually recommend CTE programs that should be eliminated and programs that should be added based on audit results.

The CTE audit is comprised of a statewide review of programs, local program review, and sharing information and best practices. The CTE methodology includes all of the following:²⁶

- A statewide assessment of programs based on the extent to which there are data that support the demand for the program at statewide and regional levels.²⁷
- A statewide assessment of programs based on their performance on key institutional measures of program quality.²⁸
- A local review of programs that did not meet statewide benchmarks based on local or industry labor market needs and institutional performance.²⁹

Effect of Proposed Changes

The bill creates s. 1009.46, F.S., to establish the duties of postsecondary educational institutions for state financial aid and tuition assistance programs. Specifically, the bill:

- Requires that each participating institution report the program of study to the Department of Education using the most recent classification of instructional programs (CIP) taxonomy.³⁰
- Requires, by December 31, 2021, the BOG, State Board of Education (SBE), and Independent Colleges and Universities (ICUF) each approve a list of career certificate, undergraduate and graduate degree programs offered by a district career center, charter technical career center, FCS institution, independent college or university, or state university, which do not lead directly to employment, to be updated annually by December 31. In determining which programs will be included on the list, the BOG, SBE, and ICUF must consider national, state, and regional industry demand.
- Specifies, for each certificate and degree program listed, the BOG and SBE must identify occupations, current job openings, estimates of job growth, and employment wages.

²⁵ *Id.*

²⁶ DOE, *Florida's CTE Audit: Statewide Review of Programs* (Jan. 24, 2020) available at <http://www.fldoe.org/core/fileparse.php/18788/urlt/2020CTEAuditPreliminaryFindings.pdf>.

²⁷ The CTE Audit utilizes the Regional Demand Occupation List to determine statewide and regional demand, as well as, middle to high wage occupations. Florida Department of Economic Opportunity, Regional Demand Occupations List, <https://floridajobs.org/workforce-statistics/publications-and-reports/labor-market-information-reports/regional-demand-occupations-list> (last visited Mar. 5, 2021).

²⁸ DOE, *Florida's CTE Audit: Statewide Review of Programs* (Jan. 24, 2020) available at <http://www.fldoe.org/core/fileparse.php/18788/urlt/2020CTEAuditPreliminaryFindings.pdf>.

²⁹ Florida Department of Education, *Career & Technical Education Audit, Phase 2: Local Program Review*, <http://www.fldoe.org/careerpathways/> (last visited Mar. 5, 2021).

³⁰ The CIP is a taxonomy of instructional programs that provides a classification system for the thousands of different programs offered by postsecondary institutions. Its purpose is to facilitate the organization, collection, and reporting of fields of study and program completions. National Center for Education Statistics, *Introducing the 2020 Classification of Instructional Programs (CIP) and Its Website*, <https://nces.ed.gov/blogs/nces/post/introducing-the-2020-classification-of-instructional-programs-cip-and-its-website> (last visited Mar. 5, 2021).

- Specifies the SBE list must include programs at independent colleges and universities licensed by the Commission for Independent Education.
- Requires the BOG, SBE, and ICUF to publish the methodology used in determining whether programs were included on a list.
- Codifies certain existing requirements from SBE rule³¹ related to applications for and disbursement of funds, student eligibility and notifications, reporting, and fund remittance, with sanctions for noncompliance.

General Eligibility for State Financial Aid and Tuition Assistance

Present Situation

The general student eligibility requirements for state financial aid awards and tuition assistance grants consist of the following:³²

- Achievement of the academic requirements of and acceptance at a state university or FCS institution; a nursing diploma school approved by the Florida Board of Nursing; a Florida college or university which is accredited by an accrediting agency recognized by the SBE; a Florida institution the credits of which are acceptable for transfer to state universities; a career center; or a private career institution accredited by an accrediting agency recognized by the SBE.
- Residency in Florida for no less than one year preceding the award of aid or a tuition assistance grant.³³
- Submission of certification attesting to the accuracy, completeness, and correctness of information provided to demonstrate a student's eligibility to receive state financial aid awards or tuition assistance grants.

Effect of Proposed Changes

The bill amends s. 1009.40, F.S., to include in the general eligibility requirements relating to Florida residency the Last Mile College Completion Program, and Florida Farmworker Student Scholarship Program.³⁴

Need-based Financial Aid

Present Situation

Florida Student Assistance Grant Program

The Florida Student Assistance Grant (FSAG) Program, created in 1972, is Florida's largest need-based grant program, consisting of FSAG Public, FSAG Career Education (FSAG-CE), FSAG Private, and FSAG Postsecondary.³⁵ The FSAG Program provides state need-based

³¹ Rule 6A-20.002, F.A.C.

³² Section 1009.40(1)(a), F.S.

³³ Resident status for purposes of receiving state financial aid awards is determined in the same manner as resident status for tuition purposes pursuant to s. 1009.21. Section 1009.40(1)(a)2., F.S.

³⁴ Sections 1009.71, F.S.; 1009.711, F.S.; 1009.75, F.S.; and 1009.894, F.S.

³⁵ DOE, Office of Student Financial Assistance, *Annual Report to the Commissioner 2018-19* (2019), at 11, available at <https://www.floridastudentfinancialaidsg.org/pdf/annualreportcurrent.pdf>.

assistance grants to students who meet general eligibility requirements,³⁶ demonstrate financial need, and meet enrollment requirements as specified by each program. The FSAG Program is administered by participating institutions in accordance with SBE rule.³⁷

The funds appropriated for the FSAG Program must be distributed to eligible institutions in accordance with a formula approved by the SBE. The formula must consider at least the prior year's distribution of funds, the number of eligible applicants who did not receive awards, the standardization of the EFC, and provisions for unused funds. The formula must account for changes in the number of eligible students across all student assistance grant programs.³⁸

In 2019-2020, the FSAG programs disbursed approximately \$270 million to nearly 175,000 students.³⁹

In addition, the FSAG Public, FSAG Private, and FSAG Postsecondary programs provide for deposit of funds appropriated by the Legislature for grants through the FSAG program into the State Student Financial Assistance Trust Fund.⁴⁰ The FSAG-CE program does not have this provision.

Effect of Proposed Changes

The bill removes obsolete provisions within the various FSAG programs regarding standardization of the EFC and unused funds in the distribution formula and removes unnecessary requirements related to the State Student Financial Assistance Trust Fund for FSAG programs.

Merit-based Financial Aid

Present Situation

Florida Bright Futures Scholarship Program

The Florida Bright Futures Scholarship Program (Bright Futures program) was established in 1997⁴¹ as a lottery-funded scholarship program to reward a Florida high school graduate who merits recognition for high academic achievement and who enrolls in a degree program, certificate program, or applied technology program at an eligible Florida public or private⁴²

³⁶ Section 1009.40, F.S.

³⁷ Sections 1009.50(6), 1009.505(5), 1009.51(6), and 1009.52(7), F.S. *See also* Rule 6A-20.031, F.A.C. Postsecondary educational institution administrative responsibilities for state student aid and tuition assistance programs are outlined in Rule 6A-20.002, F.A.C.

³⁸ Sections 1009.50(4)(a), 1009.51(4)(a), and 1009.52(4)(a), F.S.

³⁹ DOE, Office of Student Financial Assistance, *2019-20 End of Year Reports*, <https://www.floridastudentfinancialaidsg.org/SAPSPEOYR/SAPSPEOYR> (last visited Mar. 6, 2021).

⁴⁰ Sections 1009.50(5), 1009.51(5), and 1009.52(6), F.S.

⁴¹ Chapter 1997-77, s. 2, Laws of Fla.

⁴² A student who receives any award under the Bright Futures program and is enrolled in a nonpublic postsecondary education institution receives a fixed award calculated by using the average tuition and fee calculation as prescribed by the Department of Education for full-time attendance at a public postsecondary education institution at the comparable level. Section 1009.538, F.S.

postsecondary education institution. The DOE is responsible for issuing awards for the Bright Futures program annually.⁴³

The Bright Futures program consists of the following awards:⁴⁴

- Florida Academic Scholarship (FAS);⁴⁵
- Florida Medallion Scholarship (FMS);⁴⁶ and
- Florida Gold Seal Vocational Scholarship (FGSV) and Florida Gold Seal CAPE Scholarship.⁴⁷

Similarities and differences in specified provisions to qualify for FAS and FMS awards are depicted in the table below.⁴⁸

Type	16 High School Course Credits	High School Weighted Bright Futures GPA	College Entrance Exams by High School Graduation Year (ACT/SAT)	Service Hours
FAS	4 - English (three must include substantial writing) 4 - Mathematics (at or above the Algebra I level) 3 - Natural Science	3.50	29/1330	100 hours
FMS	(two must have substantial laboratory) 3 - Social Science 2 - World Language (sequential, in same language)	3.00	25/1210	75 hours

Students who have demonstrated academic merit through a recognition program may be eligible for Bright Futures without having to meet one or more of the requirements.⁴⁹

The recognition programs that do not require college entrance exam scores include:⁵⁰

- National Merit Finalists and Scholars;
- National Hispanic Scholars;
- Advanced International Certificate of Education (AICE) Diploma; and
- International Baccalaureate (IB) Diploma.

FAS award recipients receive an award equal to the amount necessary to pay of 100 percent of tuition and applicable fees and an additional stipend for textbooks as specified in the General

⁴³ Section 1009.53(5), F.S.

⁴⁴ Section 1009.53(2), F.S.

⁴⁵ Section 1009.534, F.S.

⁴⁶ Section 1009.535, F.S.

⁴⁷ Section 1009.536, F.S.

⁴⁸ Section 1009.531, F.S.

⁴⁹ Sections 1009.534(1) and 1009.535(1), F.S.

⁵⁰ DOE, Office of Student Financial Assistance, 2020-21 *Bright Futures Student Handbook Chapter 1: Initial Eligibility Requirements* (July 31, 2020) available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf>.

Appropriations Act (GAA).⁵¹ FMS award recipients receive an award equal to the amount necessary to pay of 75 percent of tuition and applicable fees.⁵²

A student may receive an FAS or FMS award for a maximum of 100 percent of the number of credit hours required to complete an associate degree program, a baccalaureate degree program, or a postsecondary career certificate program.⁵³

Florida Bright Futures Scholarship recipients who graduate with a baccalaureate degree in seven semesters, or the equivalent or fewer hours, and wish to pursue graduate study may apply the unused portion of their FAS or FMS award toward one semester of graduate study, not to exceed 15 semester hours paid at the undergraduate rate.⁵⁴

For the 2019-2020 fiscal year, a total of \$618,607,165 was disbursed through the Bright Futures program to 111,973 students.⁵⁵

Benacquisto Scholarship Program

The Benacquisto Scholarship Program (scholarship)⁵⁶ was created in 2014 to reward a Florida high school graduate who achieves recognition as a National Merit Scholar (NMS)⁵⁷ and enrolls in a baccalaureate degree program at an eligible Florida public or independent postsecondary educational institution.⁵⁸

In addition to achieving recognition as an NMS, in order to be eligible for an award under the scholarship, a student must:⁵⁹

- Be a state resident as determined by statute and SBE rules;
- Earn a standard Florida high school diploma or its equivalent pursuant to statute, unless:
 - The student completes a home education program pursuant to statute;⁶⁰ or

⁵¹ Section 1009.534(2), F.S.

⁵² Section 1009.535(2), F.S. Beginning in the fall 2021 semester, a Florida Medallion Scholar who is enrolled in an associate degree program at an FCS institution is eligible for an award equal to the amount necessary to pay 100 percent of tuition and specified fees to assist with the payment of educational expenses. Section 1009.535(2), F.S.

⁵³ Section 1009.532(3)(a), F.S.

⁵⁴ Section 1009.5341, F.S.

⁵⁵ Florida Bright Futures Scholarship Program, *Florida Bright Futures Student Counts and Total Costs* (September 2020) available at <https://www.floridastudentfinancialaidsg.org/PDF/PSI/BFReportsA.pdf>.

⁵⁶ The scholarship was renamed in 2016 from the Florida National Merit Scholar Incentive Program to the Benacquisto Scholarship Program. Chapter 2016-237, s. 26, Laws of Fla.

⁵⁷ DOE, Office of Student Financial Assistance, *Annual Report to the Commissioner 2018-19* (2019) available at <https://www.floridastudentfinancialaidsg.org/pdf/annualreportcurrent.pdf>. The National Merit Scholarship Corporation (NMSC) is a private, not-for-profit organization that operates without government assistance to recognize and honor academically talented students. National Merit Scholarship Corporation, *Mission*, <https://www.nationalmerit.org/s/1758/interior.aspx?sid=1758&gid=2&pgid=395> (last visited Mar. 3, 2021). NMSC organizes the National Merit Scholarship Program, which began in 1955 as an academic competition for recognition and scholarship. High school students enter the National Merit Program by taking the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), which serves as an initial screen of approximately 1.5 million entrants each year, and meeting the program participation requirements. National Merit Scholarship Corporation, *National Merit Scholarship Program*, <https://www.nationalmerit.org/s/1758/interior.aspx?sid=1758&gid=2&pgid=424> (last visited Mar. 3, 2021).

⁵⁸ Section 1009.893(2), F.S.

⁵⁹ Section 1009.893(4)(a), F.S.

⁶⁰ Section 1002.41, F.S.

- The student earns a high school diploma from a non-Florida school while living with a parent who is on military or public service assignment out of this state;
- Be accepted by and enroll in a Florida public or independent postsecondary educational institution that is regionally accredited; and
- Be enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

In 2018, eligibility was expanded to allow out-of-state students to qualify for a scholarship.⁶¹

Scholarship recipients attending a public postsecondary institution, who qualify as a Florida resident, receive an award equal to the institutional cost of attendance (COA) minus the sum of the student's Florida Bright Futures Scholarship and NMS award. Scholarship recipients attending a public postsecondary institution, who qualify as non-residents of Florida, receive an award equal to the institutional COA for a Florida resident minus the student's NMS award.⁶² Eligible students who attend independent postsecondary educational institutions in Florida each receive scholarship awards equal to the highest COA for a resident of this state enrolled at a Florida public university, as reported by the BOG, minus the sum of the student's Florida Bright Futures Scholarship and NMS award.⁶³

In the 2019-2020 fiscal year, the scholarship distributed \$21.6 million to 1,377 students, of which 202 were non-Florida residents. The average award was \$15,650.⁶⁴

Effect of Proposed Changes

Florida Bright Futures Scholarship Program

The bill modifies ss. 1009.534 and 1009.535, F.S., relating to the FAS and FMS awards. Specifically, the bill:

- Changes the FAS and FMS award from the award necessary to pay a specified percentage of tuition and specified fees to an award as specified in the GAA.
- Changes the FMS award for a FCS student in an associate degree program from an award necessary to pay the specified percentage of tuition and specified fees to an award as specified in the GAA.
- Simplifies the reference to the required college entrance exam scores.⁶⁵
- Removes reference to a national achievement program no longer available through the National Merit Scholarship Corporation.
- Updates the reference to the National Hispanic Recognition Program to include all Recognition Programs administered by the College Board, which includes African American

⁶¹ Chapter 2018-4, s. 22, Laws of Fla. See s. 1009.893(4)(b), F.S.

⁶² Section 1009.893(5)(a), F.S.

⁶³ Section 1009.893(5)(b), F.S.

⁶⁴ DOE, Office of Student Financial Assistance, *End-of-Year Report, 2019-2020*, https://www.floridastudentfinancialaidsg.org/PDF/PSI/FIS_2019_2020.pdf (last visited Mar. 6, 2021).

⁶⁵ Program eligibility requires specified scores on the SAT and ACT. Section 1009.531(6), F.S.

Recognition, Hispanic Recognition, Indigenous Recognition, and Rural and Small Town Recognition.⁶⁶

- Beginning for graduates in 2021-2022, adds additional alternative eligibility options: earned associates degree through dual enrollment or AP Capstone Diploma with scores of 4 or higher on six AP exams. Students who meet the requirements for these options would not be required to submit scores for college entrance exams.

The bill modifies s. 1009.53, F.S., to update the DOE notification process from beginning in January calendar year to beginning in September school year and removes unnecessary provisions relating to DOE authorization to certify forward 10 percent of allocated funds, and to federal loan programs.

Benacquisto Scholarship Program

The bill modifies s. 1009.893, F.S., to change initial eligibility options and remove award provisions related to COA. Specifically, the bill:

- Specifies that the 2021-2022 academic year is the final year of initial eligibility for nonresident students. However, current nonresident students receiving a scholarship may continue to receive renewal awards.
- Remove the requirement that the award level is tied to the cost of attendance and instead sets the award amount as specified in the GAA.

Fee Waivers and Exemptions

Present Situation

All students in workforce education programs, FCS institutions, and state universities must be charged fees unless a fee waiver or exemption applies.⁶⁷ Tuition and fee exemptions can be distinguished from fee waivers or educational benefits. An exemption is “provided for certain students who are, by statutory definition, exempt from the payment of tuition and fees, including lab fees” and may generally include students who are in dual enrollment, apprenticeship programs, welfare transition, and in the custody of a relative, among other categories. In contrast, waivers transpire when students have their fees waived or forgiven by an institution. Examples of waivers include those related to state employees, college employees and their dependents, Purple Heart recipients, and certain classroom teachers.⁶⁸

A student who is or was at the time he or she reached 18 years of age in the custody of the Department of Children and Families (DCF) or in the custody of a relative or nonrelative specified in law,⁶⁹ is exempt from the payment of tuition and fees at a state university, FCS institution, or Florida school district that provides workforce education programs. Such exemption includes fees associated with enrollment in applied academics for adult education

⁶⁶ The College Board, *The College Board National Recognition Programs*, <https://collegereadiness.collegeboard.org/psat-nmsqt-psat-10/scholarships-and-recognition/recognition-programs> (last visited Mar. 6, 2021).

⁶⁷ Sections 1009.22, 1009.23, and 1009.24, F.S., respectively.

⁶⁸ The Florida College System, *Exemptions and Waivers in The Florida College System* (March 2012), available at <http://www.fldoe.org/core/fileparse.php/7724/urlt/0072361-fyi2012-02exemptions.pdf> at 1.

⁶⁹ Section 39.5085, F.S., or s. 39.6225, F.S.

instruction and remains valid until the student reaches 28 years of age.⁷⁰ Such exemptions are outlined by year in the following tables:

State University System DCF Specified Fee Exemptions by Academic Year⁷¹

	2017-18		2018-19		2019-20	
	Headcount	Amount	Headcount	Amount	Headcount	Amount
Adopted	1,156	\$3,204,829	1,485	\$4,076,209	1,704	\$4,836,057
Foster Care/State Custody	1,035	\$2,911,275	811	\$2,444,456	801	\$2,477,687
Non-State Custody	127	\$365,738	449	\$1,118,653	488	\$1,255,052
Total	2,318	\$6,481,842	2,745	\$7,639,318	2,993	\$8,568,796

Florida College System DCF Specified Fee Exemptions by Academic Year⁷²

	2017-18		2018-19		2019-20	
	Headcount	Amount	Headcount	Amount	Headcount	Amount
Adopted from DCF Services	1,459	\$2,459,399	1,735	\$2,972,262	1,833	\$3,207,602
Custody of DCF	2,459	\$4,281,744	2,464	\$4,280,172	2,325	\$4,040,160
Custody of a Relative	283	\$501,827	318	\$588,870	324	\$573,952
Total	4,201	\$7,242,970	4,517	\$7,841,304	4,482	\$7,821,714

It is unclear to what extent all postsecondary institutions currently apply the tuition and fee exemptions to students who qualify for the exemption and begin postsecondary education before the age of 18.⁷³

Effect of Proposed Changes

The bill amends s. 1009.25, F.S., to clarify that tuition and fee exemptions apply to a student who is currently in the custody of the Department of Children and Families (DCF) or in the custody of a relative or nonrelative defined in law, or was so at the time he or she reached 18 years of age. Therefore, the bill may reduce confusion in the identification of students under DCF custody who are eligible for a tuition and fee exemption, specifically those students who enroll at a postsecondary institution prior to the age of 18.

⁷⁰Section 1009.25(1)(c) and (d), F.S..

⁷¹ Florida Board of Governors (BOG) ODA Analysis (Nov. 9, 2020), Email, Troy Miller, Deputy Chief Data Officer, BOG (Nov. 10, 2020) (on file with the Senate Committee on Education).

⁷² The Florida College System, *Summary of Student Fee Exemptions and Waivers For the 2017-2018 Fiscal Year* (2018), version 1, available at <http://www.fldoe.org/core/fileparse.php/19874/urlt/1718ExemptWaiverSS.PDF> at 1; The Florida College System, *Summary of Student Fee Exemptions and Waivers For the 2018-2019 Fiscal Year* (2019), version 1, available at <http://www.fldoe.org/core/fileparse.php/19874/urlt/1819ExemptWaiverSS.PDF> at 1; and The Florida College System, *Summary of Student Fee Exemptions and Waivers For the 2019-2020 Fiscal Year* (2020), version 1, available at <http://www.fldoe.org/core/fileparse.php/19874/urlt/1920ExemptWaiveresSS.pdf> at 1.

⁷³ Email, Alan F. Abramowitz, Executive Director, Florida Statewide Guardian ad Litem Office (Oct. 1, 2020) (on file with the Senate Committee on Education); see also *DCF Fee Exemptions in the Florida College System, FAQ*, The Florida College System, available at <http://www.fldoe.org/core/fileparse.php/7480/urlt/0082785-faqsdcfexemption.pdf> (last visited Jan. 6, 2021).

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:

The bill does not require an additional appropriation for the 2020-2021 fiscal year. Although additional students may qualify for Bright Futures through the new dual enrollment and advanced placement options starting in the 2022-23 fiscal year, there will also be fewer non-resident students participating in the Benacquisto Scholarship program. The net effect of these provisions is indeterminate at this time.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1009.25, 1009.40, 1009.50, 1009.505, 1009.51, 1009.52, 1009.53, 1009.532, 1009.534, 1009.535, 1009.893.

The bill creates the following sections of the Florida Statutes: 1006.75 and 1009.46.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

Recommended CS/CS by the Appropriations Subcommittee on Education on March 23, 2021:

The CS/CS makes the following changes:

- Removes the provisions that would reduce the Bright Futures and Benacquisto awards based on the annual list of degree programs.
- Removes the provision that would reduce Bright Futures awards by the number of acceleration credits applied toward a student's degree.
- Removes the provision that made changes to how a student with a balance of hours could use their Bright Futures award toward graduate courses.
- Removes the provisions creating the Bright Opportunities Scholarship Program and the Endeavor Scholarship Program.
- Adds a provision that students must affirmatively acknowledge that they have been provided information about career planning and are aware of the employment and wage prospects for his or her declared major as a condition of having the hold on their course registration lifted.

CS by Education on March 16, 2021

The committee substitute:

- Requires the Board of Governors (BOG) office to create, by Jan 1, 2022, an online dashboard of data regarding state university graduates.
- Requires each state university board of trustees to adopt procedures to connect undergraduates to career planning, approved by the BOG by March 1, 2022, to include a hold on student registration after the student's first year until the student meets specified provisions.
- Requires the BOG and State Board of Education (SBE) to identify and publish a list of career certificate and undergraduate and graduate degree programs that do not lead directly to employment.
- Authorizes the Independent Colleges and Universities of Florida (ICUF) to identify a list for its member institutions. Institutions licensed by the Commission for Independent Education will be included on the SBE list.
- Requires the BOG, SBE, and ICUF to also publish their methodology in identifying programs for the list.
- Specifies that an annually updated list is effective for the next academic year.
- Modifies eligibility for state financial aid to remove the provision in the bill making certain students ineligible for financial aid award, and:

- Applies provisions relating to a program list only to merit-based awards under the Bright Futures Scholarship Program and Benacquisto Scholarship programs, rather than all state financial aid programs.
- Extends implementation of modified eligibility for a Bright Futures or Benacquisto scholarship based on the identified list to students initially funded in 2023-2024.
- Specifies that a student in an associate of arts degree program or in a baccalaureate program prior to admittance to a major may receive a maximum award, up to 60 credit hours.
- Specifies that a student who has been admitted to a certificate, diploma, or career degree, or major program that is not on the list may receive the maximum award specified for the scholarship program.
- Specifies that a student who has been admitted to a certificate, diploma, or career degree, or major program that is on the list may receive a reduced award, as specified in the General Appropriations Act.
- Clarifies that a reduced award applies to a program of study that was on the list at the time of the student's initial enrollment, or if the student changes major. A student may receive a maximum award if the program is removed from the list before the student is admitted to the major.
- Modifies the provision deducting acceleration credits from a Bright Futures award to apply only to those credits that apply to a certificate, diploma, associate in applied science or associate in science degrees, or to general education.
- Modifies the graduate program provision of a Bright Futures award to specify that in 2022-2023 the graduate program must not be on a specified list.
- Modifies the Florida Endeavor Scholarship student eligibility requirements to authorize a student to earn an award prior to initial enrollment, and:
 - Authorizes scholarship funds to be used for testing fees, including GED test fees.
 - Specifies that a student who meets basic skills assessment requirements, or is enrolled in an Integrated Education and Training program, may receive an award.
 - Specifies renewal requirements, including demonstration of progress by meeting program standards toward completion of a certificate or diploma.

B. Amendments:

None.



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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/24/2021	.	
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	.	
	.	

Appropriations Subcommittee on Education (Baxley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 1006.75, Florida Statutes, is created to
read:

1006.75 State university career planning and information.-
(1) To assist students and families in making better-
informed decisions about educational options and future
employment opportunities, the Board of Governors of the State



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University System shall publicly publish an online dashboard.
The dashboard must present data, by academic discipline, of
graduates of state universities, including at least the
following information:

(a) Post-graduation median salary 1, 5, and 10 years after
graduation;

(b) Median student loan debt;

(c) Debt-to-income ratio;

(d) Estimated monthly loan payment as a percentage of gross
monthly income; and

(e) The percentage of graduates who have continued their
education beyond the baccalaureate level.

(2) The online dashboard must be available by January 1,
2022. A link to the dashboard shall be prominently displayed on
each state university's office of admissions website.

(3)(a) Each state university board of trustees shall adopt
procedures to connect undergraduate students to career planning,
coaching, and related programs during the first academic year of
the student's enrollment. Such procedures must be approved by
the Board of Governors and include placing a hold on student
registration before the end of the first year of each student's
enrollment. To lift the hold and register for classes, each
student shall:

1. Register with the university's career center;

2. Complete a career readiness training module provided by
the career center; and

3. Be directed to the dashboard established in subsection
(1).

4. Affirmatively indicate that he or she has been provided



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with the information required under this paragraph, and is aware of the employment and wage prospects for his or her declared major.

(b) The Board of Governors of the State University System shall review and approve each university's procedures by March 1, 2022.

Section 2. Paragraphs (c) and (d) of subsection (1) of section 1009.25, Florida Statutes, are amended to read:

1009.25 Fee exemptions.—

(1) The following students are exempt from the payment of tuition and fees, including lab fees, at a school district that provides workforce education programs, Florida College System institution, or state university:

(c) A student who is, or was at the time he or she reached 18 years of age, in the custody of the Department of Children and Families or who, after spending at least 6 months in the custody of the department after reaching 16 years of age, was placed in a guardianship by the court. Such exemption includes fees associated with enrollment in applied academics for adult education instruction. The exemption remains valid until the student reaches 28 years of age.

(d) A student who is, or was at the time he or she reached 18 years of age, in the custody of a relative or nonrelative under s. 39.5085 or s. 39.6225 or who was adopted from the Department of Children and Families after May 5, 1997. Such exemption includes fees associated with enrollment in applied academics for adult education instruction. The exemption remains valid until the student reaches 28 years of age.

Section 3. Paragraph (a) of subsection (1) of section



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1009.40, Florida Statutes, is amended to read:

1009.40 General requirements for student eligibility for state financial aid awards and tuition assistance grants.—

(1)(a) The general requirements for eligibility of students for state financial aid awards and tuition assistance grants consist of the following:

1. Achievement of the academic requirements of and acceptance at a state university or Florida College System institution; a nursing diploma school approved by the Florida Board of Nursing; a Florida college or university which is accredited by an accrediting agency recognized by the State Board of Education; a Florida institution the credits of which are acceptable for transfer to state universities; a career center; or a private career institution accredited by an accrediting agency recognized by the State Board of Education.

2. Residency in this state for no less than 1 year preceding the award of aid or a tuition assistance grant for a program established pursuant to s. 1009.50, s. 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.60, s. 1009.62, s. 1009.72, s. 1009.73, s. 1009.75, s. 1009.77, s. 1009.89, ~~or~~ s. 1009.891, or s. 1009.894. Residency in this state must be for purposes other than to obtain an education. Resident status for purposes of receiving state financial aid awards shall be determined in the same manner as resident status for tuition purposes pursuant to s. 1009.21.

3. Submission of certification attesting to the accuracy, completeness, and correctness of information provided to demonstrate a student's eligibility to receive state financial aid awards or tuition assistance grants. Falsification of such



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information shall result in the denial of a pending application and revocation of an award or grant currently held to the extent that no further payments shall be made. Additionally, students who knowingly make false statements in order to receive state financial aid awards or tuition assistance grants commit a misdemeanor of the second degree subject to the provisions of s. 837.06 and shall be required to return all state financial aid awards or tuition assistance grants wrongfully obtained.

Section 4. Section 1009.46, Florida Statutes, is created to read:

1009.46 Duties relating to state financial aid and tuition assistance programs.—

(1) (a) Each postsecondary educational institution that receives state funds for state financial aid and tuition assistance programs shall:

1. Complete and return the annual application for state aid funds in the format and by the date established by the Department of Education;

2. Maintain complete, accurate, and auditable student records documenting the institution's administration of state financial aid and tuition assistance funds;

3. Verify eligibility of enrolled students with the department each academic term;

4. Report each student's program of study to the department using the most recent classification of instructional programs taxonomy for the certificate or degree level as developed by the United States Department of Education's National Center for Education Statistics;

5. Disburse state financial aid and tuition assistance to



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eligible students;

6. Notify students annually regarding the renewal requirements for each state-funded award for which they are eligible;

7. Complete and return to the department all reports for the administration of state funds in the format and by the date established by the department;

8. Complete and return to the department all legislatively required reports in the format and by the date established by the department;

9. Retain required records for the later of 5 years or until such records are audited and any audit exceptions are resolved; and

10. Refund to the department any undisbursed advances within 60 days after the end of the regular registration period each fall and spring term, within 30 days after the end of the summer term, or within 60 days after the date a student's ineligibility is determined.

(b) These requirements do not preclude higher standards specified in other sections of this part or rules of the State Board of Education.

(c) An institution that fails to perform its duties in administering state financial aid or tuition assistance programs must be placed on probation by the department.

1. The department shall provide allocations on a reimbursement basis to a participating institution that fails to timely remit undisbursed funds for the previous academic year.

2. The department may suspend or revoke an institution's eligibility to participate in state-funded programs if the



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institution fails to provide the required audits, fails to
resolve audit findings, or fails to timely provide statutorily
required reports by established deadlines.

(2)(a) By December 31, 2021, the Board of Governors, the
State Board of Education, and the Independent Colleges and
Universities of Florida shall each identify and publish a list
of career certificate and undergraduate and graduate degree
programs offered by a district career center, charter technical
career center, Florida College System institution, independent
college or university, or state university, as applicable, which
do not lead directly to employment.

(b) In determining which programs will be included on a
list, the Board of Governors, the State Board of Education, and
the Independent Colleges and Universities of Florida shall
consider national, state, and regional industry demand for
certificateholders and graduates of such degree programs. For
each certificate and degree program listed, the Board of
Governors and the State Board of Education must identify
occupations, current job openings, estimates of job growth, and
employment wages. The State Board of Education list must include
programs at independent colleges and universities licensed by
the Commission for Independent Education.

(c) The Board of Governors, the State Board of Education,
and the Independent Colleges and Universities of Florida must
publish the methodology used in determining whether programs
were included on a list.

(d) The respective lists must be updated annually, by
December 31, to be effective in the next academic year.

Section 5. Paragraph (a) of subsection (4) and subsection



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(5) of section 1009.50, Florida Statutes, are amended to read:
1009.50 Florida Public Student Assistance Grant Program;
eligibility for grants.—

(4)(a) The funds appropriated for the Florida Public Student Assistance Grant Program shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must consider at least the prior year's distribution of funds and, the number of eligible applicants who did not receive awards, ~~the standardization of the expected family contribution, and provisions for unused funds~~. The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.505, 1009.51, and 1009.52.

~~(5) Funds appropriated by the Legislature for state student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Public Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section.~~

Section 6. Subsection (5) of section 1009.505, Florida Statutes, is amended to read:

1009.505 Florida Public Postsecondary Career Education Student Assistance Grant Program.—

~~(5) Funds appropriated by the Legislature for state student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding s. 216.301 and~~



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~~pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Public Postsecondary Career Education Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section.~~

Section 7. Paragraph (a) of subsection (4) and subsection (5) of section 1009.51, Florida Statutes, are amended to read:
1009.51 Florida Private Student Assistance Grant Program; eligibility for grants.—

(4)(a) The funds appropriated for the Florida Private Student Assistance Grant Program shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must consider at least the prior year's distribution of funds and, the number of eligible applicants who did not receive awards, ~~the standardization of the expected family contribution, and provisions for unused funds.~~ The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.505, and 1009.52.

~~(5) Funds appropriated by the Legislature for Florida private student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Private Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section and as otherwise provided by law.~~

Section 8. Paragraph (a) of subsection (4) and subsection



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(6) of section 1009.52, Florida Statutes, are amended to read:

1009.52 Florida Postsecondary Student Assistance Grant Program; eligibility for grants.—

(4)(a) The funds appropriated for the Florida Postsecondary Student Assistance Grant Program shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must consider at least the prior year's distribution of funds and, the number of eligible applicants who did not receive awards, ~~the standardization of the expected family contribution, and provisions for unused funds.~~ The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.505, and 1009.51.

~~(6) Funds appropriated by the Legislature for Florida postsecondary student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Postsecondary Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section and as otherwise provided by law.~~

Section 9. Subsections (3), (4), and (7) of section 1009.53, Florida Statutes, are amended to read:

1009.53 Florida Bright Futures Scholarship Program.—

(3) The Department of Education shall administer the Bright Futures Scholarship Program according to rules and procedures established by the State Board of Education. A single application must be sufficient for a student to apply for any of



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the awards. The department shall advertise the availability of the scholarship program and shall notify students, teachers, parents, certified school counselors, and principals or other relevant school administrators of the criteria and application procedures. The department must begin this process of notification no later than September ~~January~~ 1 of each year.

(4) Funding for the Bright Futures Scholarship Program must be allocated from the Education Enhancement Trust Fund and must be provided before allocations from that fund are calculated for disbursement to other educational entities.

~~(a) If funds appropriated are not adequate to provide the maximum allowable award to each eligible applicant, awards in all components of the program must be prorated using the same percentage reduction.~~

~~(b) Notwithstanding s. 216.301, if all funds allocated to the Bright Futures Scholarship Program are not used in any fiscal year, up to 10 percent of the total allocation may be carried forward and used for awards in the following year.~~

(7) A student may receive only one type of award from the Florida Bright Futures Scholarship Program at any given time, but may transfer from one type of award to another through the renewal application process, if the student's eligibility status changes. However, a student is not eligible to transfer from a Florida Medallion Scholarship, a Florida Gold Seal CAPE Scholarship, or a Florida Gold Seal Vocational Scholarship to a Florida Academic Scholarship. ~~A student who receives an award from the program may also receive a federal family education loan or a federal direct loan, and the value of the award must be considered in the certification or calculation of the~~



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~~student's loan eligibility.~~

Section 10. Subsections (1) and (2) of section 1009.534, Florida Statutes, are amended to read:

1009.534 Florida Academic Scholars award.—

(1) A student is eligible for a Florida Academic Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(a) Has achieved a 3.5 weighted grade point average as calculated pursuant to s. 1009.531, or its equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under s. 1009.531(6) (a) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(b) Has attended a home education program according to s. 1002.41 during grades 11 and 12, has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma, or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6) (a) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(c) Has been awarded an International Baccalaureate Diploma



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from the International Baccalaureate Office or an Advanced International Certificate of Education Diploma from the University of Cambridge International Examinations Office;

(d) Has been recognized by ~~the merit or achievement programs of~~ the National Merit Scholarship Corporation as a scholar or finalist; ~~or~~

(e) Has been granted academic honors by one or more of the College Board National Recognition Programs for students from underrepresented communities; or ~~recognized by the National Hispanic Recognition Program as a scholar recipient~~

(f) For a high school student who graduated in the 2021-2022 academic year and thereafter:

1. Has earned an associate degree with a minimum postsecondary cumulative grade point average of 3.5 on a 4.0 scale before graduating from high school; or

2. Has earned a College Board Advanced Placement Capstone Diploma with scores of 4 or higher on six Advanced Placement examinations.

The student must complete a program of volunteer service work, as approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students, which must include a minimum of 75 hours of service work for high school students graduating in the 2010-2011 academic year and 100 hours of service work for high school students graduating in the 2011-2012 academic year and thereafter. The student must identify a social or civic issue or a professional area that interests him or her, develop a plan for his or her personal involvement in addressing the issue or



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learning about the area, and, through papers or other presentations, evaluate and reflect upon his or her experience. Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for the volunteer service work performed. Such work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

(2) A Florida Academic Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary educational ~~education~~ institution is eligible for an award equal to the amount specified necessary to pay 100 percent of tuition and fees ~~established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, and is eligible for an additional stipend for textbooks, to assist with the payment of educational expenses as funds are specifically appropriated in the General Appropriations Act to assist with the payment of educational expenses.~~

Section 11. Subsections (1) and (2) of section 1009.535, Florida Statutes, are amended to read:

1009.535 Florida Medallion Scholars award.—

(1) A student is eligible for a Florida Medallion Scholars



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award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(a) Has achieved a weighted grade point average of 3.0 as calculated pursuant to s. 1009.531, or the equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under s. 1009.531(6) (b) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(b) Has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6) (b) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(c) Has attended a home education program according to s. 1002.41 during grades 11 and 12 and has attained at least the score required under s. 1009.531(6) (b) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(d) Has been recognized by the ~~merit or achievement program~~



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~~of the~~ National Merit Scholarship Corporation as a scholar or finalist but has not completed the program of volunteer service work required under s. 1009.534; ~~or~~

(e) Has been granted academic honors by one or more of the College Board National Recognition Programs for students from underrepresented communities ~~recognized by the National Hispanic Recognition Program as a scholar,~~ but has not completed the program of volunteer service work required under s. 1009.534; or

(f) For a high school student who graduates in the 2021-2022 academic year and thereafter:

1. Has earned an associate degree with a minimum cumulative postsecondary grade point average of 3.0 on a 4.0 scale before graduating from high school; or

2. Has earned an Advanced Placement Capstone Diploma with scores of 3 or higher on six Advanced Placement Examinations.

A high school student graduating in the 2011-2012 academic year and thereafter must complete at least 75 hours of volunteer service work approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students. The student must identify a social or civic issue or a professional area that interests him or her, develop a plan for his or her personal involvement in addressing the issue or learning about the area, and, through papers or other presentations, evaluate and reflect upon his or her experience. Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for volunteer service work performed. Such work may include, but is



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not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

(2) A Florida Medallion Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary educational ~~education~~ institution is eligible, ~~beginning in the fall 2018 semester,~~ for an award equal to the amount specified in the General Appropriations Act ~~necessary to pay 75 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7), (13), (14)(r), and (16), as applicable,~~ to assist with the payment of educational expenses. Beginning in the fall 2021 semester, a Florida Medallion Scholar who is enrolled in an associate degree program at a Florida College System institution is eligible for an award equal to the amount specified in the General Appropriations Act ~~necessary to pay 100 percent of tuition and fees established under s. 1009.23(3), (4), (7), (8), (10), and (11)~~ to assist with the payment of educational expenses.

Section 12. Paragraph (b) of subsection (4) and subsection (5) of section 1009.893, Florida Statutes, are amended to read:

1009.893 Benacquisto Scholarship Program.—

(4) In order to be eligible for an initial award under the scholarship program, a student must meet the requirements of



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paragraph (a) or paragraph (b).

(b) A student who initially enrolls in a baccalaureate degree program in the 2018-2019 through 2021-2022 academic years ~~year or later~~ and who is not a resident of this state, as determined in s. 1009.40 and rules of the State Board of Education, must:

1. Physically reside in this state on or near the campus of the postsecondary educational institution in which the student is enrolled;

2. Earn a high school diploma from a school outside Florida which is comparable to a standard Florida high school diploma or its equivalent pursuant to s. 1002.3105, s. 1003.4281, s. 1003.4282, or s. 1003.435 or must complete a home education program in another state; and

3. Be accepted by and enrolled full-time in a baccalaureate degree program at an eligible regionally accredited Florida public or independent postsecondary educational institution during the fall academic term following high school graduation.

(5)(a)1. An eligible student who meets the requirements of paragraph (4)(a), who is a National Merit Scholar, and who attends a Florida public postsecondary educational institution shall receive a scholarship award as specified in the General Appropriations Act ~~equal to the institutional cost of attendance minus the sum of the student's Florida Bright Futures Scholarship and National Merit Scholarship.~~

2. An eligible student who meets the requirements of paragraph (4)(b), who is a National Merit Scholar, and who attends a Florida public postsecondary educational institution shall receive a scholarship award as specified in the General



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~~Appropriations Act equal to the institutional cost of attendance for a resident of this state minus the student's National Merit Scholarship.~~ Such student is exempt from the payment of out-of-state fees.

(b) An eligible student who is a National Merit Scholar and who attends a Florida independent postsecondary educational institution shall receive a scholarship award as specified in the General Appropriations Act ~~equal to the highest cost of attendance for a resident of this state enrolled at a Florida public university, as reported by the Board of Governors of the State University System, minus the sum of the student's Florida Bright Futures Scholarship and National Merit Scholarship.~~

Section 13. This act shall take effect July 1, 2021.

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled
An act relating to student financial aid; creating s.
1006.75, F.S.; requiring the Board of Governors of the
State University System to create an online dashboard;
specifying minimum information to be included in the
dashboard; requiring the dashboard to be available by
a specified date; requiring each state university
office of admissions website to contain a link to the
dashboard; requiring each state university board of
trustees to adopt certain procedures; requiring the
procedures to include placing a hold on certain



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students' registration; specifying the requirements for students to lift the hold; requiring the Board of Governors to approve such procedures by a specified date; amending s. 1009.25, F.S.; making technical changes; amending s. 1009.40, F.S.; conforming provisions to changes made by the act; creating s. 1009.46, F.S.; specifying the duties of certain postsecondary educational institutions with regard to financial aid and tuition assistance programs; specifying penalties for noncompliance; requiring the Board of Governors, the State Board of Education, and the Independent Colleges and Universities of Florida to each approve, by a specified date, a list of career certificate and undergraduate and graduate degree programs that they determine do not lead directly to employment; requiring that each list include specified information; requiring that the state board list include programs at independent colleges and universities licensed by the Commission for Independent Education; requiring each entity to publish the methodology used in determining whether programs are included on the list; requiring that the lists be updated annually, by a specified date, to be effective the next academic year; amending s. 1009.50, F.S.; revising the formula for calculating how Florida Public Student Assistance Grant Program funds are distributed; deleting a provision authorizing Florida Public Student Assistance Grant Program funds to be deposited in the State Student Financial Assistance



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Trust Fund; deleting a provision requiring any balance in the trust fund which was allocated to the Florida Public Student Assistance Grant Program at the end of the fiscal year to remain therein; amending s. 1009.505, F.S.; deleting a provision authorizing Florida Public Postsecondary Career Education Student Assistance Grant Program funds to be deposited in the trust fund; deleting a provision requiring any balance in the trust fund which was allocated to the Florida Public Postsecondary Career Education Student Assistance Grant Program at the end of the fiscal year to remain therein; amending s. 1009.51, F.S.; revising the formula for calculating how Florida Private Student Assistance Grant Program funds are distributed; deleting a provision authorizing Florida Private Student Assistance Grant Program funds to be deposited in the trust fund; deleting a provision requiring any balance in the trust fund which was allocated to the Florida Private Student Assistance Grant Program at the end of the fiscal year to remain therein; amending s. 1009.52, F.S.; revising the formula for how Florida Postsecondary Student Assistance Grant Program funds are distributed; deleting a provision authorizing Florida Postsecondary Student Assistance Grant Program funds to be deposited in the trust fund; deleting a provision requiring any balance in the trust fund which was allocated to the Florida Postsecondary Student Assistance Grant Program at the end of the fiscal year to remain therein;



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amending s. 1009.53, F.S.; requiring the Department of Education to advertise the Florida Bright Futures Scholarship Program to specified persons no later than a specified date of each year; deleting a provision authorizing unused Florida Bright Futures Scholarship Program funds to be carried forward; deleting a provision authorizing certain students to receive specified loans; amending s. 1009.534, F.S.; revising and expanding eligibility requirements of the Florida Academic Scholars award; providing that a Florida Academic Scholar is eligible for an award equal to the amount specified in the General Appropriations Act; amending s. 1009.535, F.S.; revising and expanding eligibility for a Florida Medallion Scholars award; providing a Florida Medallion Scholar is eligible for an award equal to the amount specified in the General Appropriations Act; amending s. 1009.893, F.S.; requiring a student who enrolls in a baccalaureate degree program in specified academic years to comply with certain requirements to attain a Benacquisto Scholarship; providing that the amount awarded under the program will be as specified in the General Appropriations Act; providing an effective date.



394796

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
03/24/2021	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Polsky) recommended the following:

Senate Amendment to Amendment (666218) (with title amendment)

Between lines 183 and 184
insert:

(e) The respective lists may not be used to determine eligibility or award amounts for any state student assistance grant or state financial aid.

===== T I T L E A M E N D M E N T =====



394796

11 And the title is amended as follows:
12 Delete line 556
13 and insert:
14 effective the next academic year; prohibiting the
15 lists from being used to determine eligibility or
16 award amounts for any state student assistance grant
17 or state financial aid; amending s. 1009.50,



606296

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
03/24/2021	.	
	.	
	.	
	.	

Appropriations Subcommittee on Education (Cruz) recommended the following:

Senate Amendment to Amendment (666218) (with title amendment)

Delete lines 376 - 468

and insert:

necessary to pay 100 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, and is eligible for an additional stipend for textbooks, to assist with the payment of educational



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expenses as funds are specifically appropriated in the General Appropriations Act to assist with the payment of educational expenses.

Section 11. Subsections (1) and (2) of section 1009.535, Florida Statutes, are amended to read:

1009.535 Florida Medallion Scholars award.—

(1) A student is eligible for a Florida Medallion Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(a) Has achieved a weighted grade point average of 3.0 as calculated pursuant to s. 1009.531, or the equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under s. 1009.531(6)(b) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(b) Has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6)(b) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(c) Has attended a home education program according to s.



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1002.41 during grades 11 and 12 and has attained at least the score required under s. 1009.531(6) (b) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(d) Has been recognized by the ~~merit or achievement program of the~~ National Merit Scholarship Corporation as a scholar or finalist but has not completed the program of volunteer service work required under s. 1009.534; ~~or~~

(e) Has been granted academic honors by one or more of the College Board National Recognition Programs for students from underrepresented communities ~~recognized by the National Hispanic Recognition Program as a scholar,~~ but has not completed the program of volunteer service work required under s. 1009.534; or

(f) For a high school student who graduates in the 2021-2022 academic year and thereafter:

1. Has earned an associate degree with a minimum cumulative postsecondary grade point average of 3.0 on a 4.0 scale before graduating from high school; or

2. Has earned an Advanced Placement Capstone Diploma with scores of 3 or higher on six Advanced Placement Examinations.

A high school student graduating in the 2011-2012 academic year and thereafter must complete at least 75 hours of volunteer service work approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students. The student must identify a social or civic issue or a professional area that



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interests him or her, develop a plan for his or her personal involvement in addressing the issue or learning about the area, and, through papers or other presentations, evaluate and reflect upon his or her experience. Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for volunteer service work performed. Such work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

(2) A Florida Medallion Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary educational ~~education~~ institution is eligible, ~~beginning in the fall 2018 semester,~~ for an award equal to the amount necessary to pay 75 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13), (14)(r), and (16), as applicable, to assist with the payment of educational expenses. Beginning in the fall 2021 semester, a Florida Medallion Scholar who is enrolled in an associate degree program at a Florida College System institution is eligible for an award equal to the amount necessary to pay 100 percent of tuition and fees established under s. 1009.23(3), (4), (7), (8), (10), and (11) to assist with the payment of educational



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98
99 ===== T I T L E A M E N D M E N T =====
100 And the title is amended as follows:
101 Delete lines 600 - 607
102 and insert:
103 Academic Scholars award; amending s. 1009.535, F.S.;
104 revising and expanding eligibility for a Florida
105 Medallion Scholars award; amending s. 1009.893, F.S.;

By the Committee on Education; and Senator Baxley

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1 A bill to be entitled
 2 An act relating to student financial aid; creating s.
 3 1006.75, F.S.; requiring the Board of Governors of the
 4 State University System to create an online dashboard;
 5 specifying minimum information to be included in the
 6 dashboard; requiring the dashboard to be available by
 7 a specified date; requiring each state university
 8 office of admissions website to contain a link to the
 9 dashboard; requiring each state university board of
 10 trustees to adopt certain procedures; requiring the
 11 procedures to include placing a hold on certain
 12 students' registration; specifying the requirements
 13 for students to lift the hold; requiring the Board of
 14 Governors to approve such procedures by a specified
 15 date; amending s. 1009.25, F.S.; making technical
 16 changes; amending s. 1009.40, F.S.; conforming
 17 provisions to changes made by the act; revising
 18 eligibility for an award under the Bright Futures
 19 Scholarship Program or the Benacquisto Scholarship
 20 Program; specifying funding award levels for students
 21 initially funded in a certain academic year; requiring
 22 postsecondary educational institutions to verify
 23 funding levels before award disbursement; creating s.
 24 1009.46, F.S.; specifying the duties of certain
 25 postsecondary educational institutions with regard to
 26 financial aid and tuition assistance programs;
 27 specifying penalties for noncompliance; requiring the
 28 Board of Governors, the State Board of Education, and
 29 the Independent Colleges and Universities of Florida

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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30 to each approve, by a specified date, a list of career
 31 certificate and undergraduate and graduate degree
 32 programs that they determine do not lead directly to
 33 employment; requiring that each list include specified
 34 information; requiring that the state board list
 35 include programs at independent colleges and
 36 universities licensed by the Commission for
 37 Independent Education; requiring each entity to
 38 publish the methodology used in determining whether
 39 programs are included on the list; requiring that the
 40 lists be updated annually, by a specified date, to be
 41 effective the next academic year; amending s. 1009.50,
 42 F.S.; revising the formula for calculating how Florida
 43 Public Student Assistance Grant Program funds are
 44 distributed; deleting a provision authorizing Florida
 45 Public Student Assistance Grant Program funds to be
 46 deposited in the State Student Financial Assistance
 47 Trust Fund; deleting a provision requiring any balance
 48 in the trust fund which was allocated to the Florida
 49 Public Student Assistance Grant Program at the end of
 50 the fiscal year to remain therein; amending s.
 51 1009.505, F.S.; deleting a provision authorizing
 52 Florida Public Postsecondary Career Education Student
 53 Assistance Grant Program funds to be deposited in the
 54 trust fund; deleting a provision requiring any balance
 55 in the trust fund which was allocated to the Florida
 56 Public Postsecondary Career Education Student
 57 Assistance Grant Program at the end of the fiscal year
 58 to remain therein; amending s. 1009.51, F.S.; revising

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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59 the formula for calculating how Florida Private
 60 Student Assistance Grant Program funds are
 61 distributed; deleting a provision authorizing Florida
 62 Private Student Assistance Grant Program funds to be
 63 deposited in the trust fund; deleting a provision
 64 requiring any balance in the trust fund which was
 65 allocated to the Florida Private Student Assistance
 66 Grant Program at the end of the fiscal year to remain
 67 therein; amending s. 1009.52, F.S.; revising the
 68 formula for how Florida Postsecondary Student
 69 Assistance Grant Program funds are distributed;
 70 deleting a provision authorizing Florida Postsecondary
 71 Student Assistance Grant Program funds to be deposited
 72 in the trust fund; deleting a provision requiring any
 73 balance in the trust fund which was allocated to the
 74 Florida Postsecondary Student Assistance Grant Program
 75 at the end of the fiscal year to remain therein;
 76 amending s. 1009.53, F.S.; requiring the Department of
 77 Education to advertise the Florida Bright Futures
 78 Scholarship Program to specified persons no later than
 79 a specified date of each year; deleting a provision
 80 authorizing unused Florida Bright Futures Scholarship
 81 Program funds to be carried forward; deleting a
 82 provision authorizing certain students to receive
 83 specified loans; amending s. 1009.532, F.S.;
 84 requiring, beginning with a specified academic year,
 85 that the maximum number of credit hours which can be
 86 awarded under the Florida Bright Futures Scholarship
 87 Program be reduced by the number of postsecondary

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88 credit hours the student has earned from certain
 89 articulated acceleration mechanisms which are applied
 90 toward certificate, diploma, or specified degree
 91 requirements or to general education requirements;
 92 amending s. 1009.534, F.S.; revising and expanding
 93 eligibility requirements of the Florida Academic
 94 Scholars award; providing that a Florida Academic
 95 Scholar is eligible for an award equal to the amount
 96 specified in the General Appropriations Act; amending
 97 s. 1009.5341, F.S.; authorizing a Florida Bright
 98 Futures Scholarship recipient to apply the unused
 99 portion of a Florida Academic Scholars award or
 100 Florida Medallion Scholars award toward graduate study
 101 for a specified academic year; authorizing a Florida
 102 Bright Futures Scholarship recipient to apply the
 103 unused portion of a Florida Academic Scholars award or
 104 Florida Medallion Scholars award toward graduate study
 105 in a specified degree field, paid at the undergraduate
 106 rate, beginning with a specified academic year;
 107 amending s. 1009.535, F.S.; revising and expanding
 108 eligibility for a Florida Medallion Scholars award;
 109 providing a Florida Medallion Scholar is eligible for
 110 an award equal to the amount specified in the General
 111 Appropriations Act; creating s. 1009.71, F.S.;
 112 establishing the Florida Bright Opportunities Grant
 113 Program; requiring the program to be administered by
 114 the participating institutions subject to state board
 115 rules; providing the purpose of the program;
 116 specifying eligibility requirements for the program;

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117 prohibiting institutions from imposing additional
 118 eligibility requirements on students; requiring the
 119 program to cover remaining tuition and fees for
 120 eligible students after the application of all other
 121 federal and state financial aid, with a stipend for
 122 books as specified in the General Appropriations Act;
 123 requiring program awards to be allocated on a first-
 124 come, first-served basis; requiring returning students
 125 to receive priority over new students; providing the
 126 duration of the award; requiring funds to be
 127 distributed to eligible institutions based on a
 128 formula approved by the state board; requiring the
 129 formula to take into account specified criteria;
 130 requiring grants to be transmitted to institutions in
 131 advance of the registration period; requiring
 132 institutions to notify students of award amounts;
 133 requiring institutions to determine the eligibility
 134 status of each student at a specified time;
 135 prohibiting institutions from being required to
 136 reevaluate student eligibility after the specified
 137 time; requiring institutions to report specified
 138 information to the department; requiring institutions
 139 to remit to the department any undisbursed advances
 140 within a specified timeframe; requiring the state
 141 board to adopt rules; creating s. 1009.711, F.S.;
 142 establishing the Florida Endeavor Scholarship Program;
 143 requiring the award to cover tuition, registration,
 144 and testing fees for eligible students at a Florida
 145 College System institution, a career center, or a

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146 charter technical career center; providing that
 147 students who earned a high school credential before
 148 enrolling at the institution are not eligible for the
 149 program; requiring enrollment in specified programs;
 150 requiring that students meet specified statutory
 151 requirements; requiring that students demonstrate
 152 readiness for enrollment in a postsecondary clock hour
 153 program by meeting a specified requirement,
 154 demonstrating specified literacy and numeracy skills,
 155 or by enrolling in an Integrated Education and
 156 Training program; specifying criteria for continuing
 157 eligibility and for a renewal award; prohibiting
 158 institutions from imposing additional criteria to
 159 determine a student's initial eligibility; providing
 160 that students are eligible to receive award amounts
 161 equal to certain tuition and registration fees;
 162 requiring program awards to be allocated on a first-
 163 come, first-served basis, with returning students
 164 given priority over new students; requiring funds to
 165 be distributed to eligible institutions based on a
 166 formula approved by the state board; requiring that
 167 the formula take into account specified criteria;
 168 requiring that grants be transmitted to institutions
 169 in advance of the registration period; requiring
 170 institutions to notify students of award amounts;
 171 requiring institutions to determine the eligibility
 172 status of each student at a specified time;
 173 prohibiting institutions from being required to
 174 reevaluate student eligibility after the specified

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175 time; requiring institutions to report specified
 176 information to the department; requiring institutions
 177 to remit to the department any undisbursed advances
 178 within a specified timeframe; requiring the state
 179 board to adopt rules; amending s. 1009.893, F.S.;
 180 requiring a student who enrolls in a baccalaureate
 181 degree program in specified academic years to comply
 182 with certain requirements to attain a Benacquisto
 183 Scholarship; providing that the amount awarded under
 184 the program will be as specified in the General
 185 Appropriations Act; providing an effective date.

187 Be It Enacted by the Legislature of the State of Florida:

189 Section 1. Section 1006.75, Florida Statutes, is created to
 190 read:

191 1006.75 State university career planning and information.—

192 (1) To assist students and families in making better-
 193 informed decisions about educational options and future
 194 employment opportunities, the Board of Governors of the State
 195 University System shall publicly publish an online dashboard.
 196 The dashboard must present data, by academic discipline, of
 197 graduates of state universities, including at least the
 198 following information:

199 (a) Post-graduation median salary 1, 5, and 10 years after
 200 graduation;

201 (b) Median student loan debt;

202 (c) Debt-to-income ratio;

203 (d) Estimated monthly loan payment as a percentage of gross

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204 monthly income; and

205 (e) The percentage of graduates who have continued their
 206 education beyond the baccalaureate level.

207 (2) The online dashboard must be available by January 1,
 208 2022. A link to the dashboard shall be prominently displayed on
 209 each state university's office of admissions website.

210 (3) (a) Each state university board of trustees shall adopt
 211 procedures to connect undergraduate students to career planning,
 212 coaching, and related programs during the first academic year of
 213 the student's enrollment. Such procedures must be approved by
 214 the Board of Governors and include placing a hold on student
 215 registration before the end of the first year of each student's
 216 enrollment. To lift the hold and register for classes, each
 217 student shall:

218 1. Register with the university's career center;

219 2. Complete a career readiness training module provided by
 220 the career center; and

221 3. Be directed to the dashboard established in subsection
 222 (1).

223 (b) The Board of Governors of the State University System
 224 shall review and approve each university's procedures by March
 225 1, 2022.

226 Section 2. Paragraphs (c) and (d) of subsection (1) of
 227 section 1009.25, Florida Statutes, are amended to read:

228 1009.25 Fee exemptions.—

229 (1) The following students are exempt from the payment of
 230 tuition and fees, including lab fees, at a school district that
 231 provides workforce education programs, Florida College System
 232 institution, or state university:

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(c) A student who is, or was at the time he or she reached 18 years of age, in the custody of the Department of Children and Families or who, after spending at least 6 months in the custody of the department after reaching 16 years of age, was placed in a guardianship by the court. Such exemption includes fees associated with enrollment in applied academics for adult education instruction. The exemption remains valid until the student reaches 28 years of age.

(d) A student who is, or was at the time he or she reached 18 years of age, in the custody of a relative or nonrelative under s. 39.5085 or s. 39.6225 or who was adopted from the Department of Children and Families after May 5, 1997. Such exemption includes fees associated with enrollment in applied academics for adult education instruction. The exemption remains valid until the student reaches 28 years of age.

Section 3. Paragraph (a) of subsection (1) of section 1009.40, Florida Statutes, is amended, and paragraph (c) is added to that subsection, to read:

1009.40 General requirements for student eligibility for state financial aid awards and tuition assistance grants.—

(1)(a) The general requirements for eligibility of students for state financial aid awards and tuition assistance grants consist of the following:

1. Achievement of the academic requirements of and acceptance at a state university or Florida College System institution; a nursing diploma school approved by the Florida Board of Nursing; a Florida college or university which is accredited by an accrediting agency recognized by the State Board of Education; a Florida institution the credits of which

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are acceptable for transfer to state universities; a career center; or a private career institution accredited by an accrediting agency recognized by the State Board of Education.

2. Residency in this state for no less than 1 year preceding the award of aid or a tuition assistance grant for a program established pursuant to s. 1009.50, s. 1009.505, s. 1009.51, s. 1009.52, s. 1009.53, s. 1009.60, s. 1009.62, s. 1009.71, s. 1009.711, s. 1009.72, s. 1009.73, s. 1009.75, s. 1009.77, s. 1009.89, ~~s. 1009.891~~, or s. 1009.894. Residency in this state must be for purposes other than to obtain an education. Resident status for purposes of receiving state financial aid awards shall be determined in the same manner as resident status for tuition purposes pursuant to s. 1009.21.

3. Submission of certification attesting to the accuracy, completeness, and correctness of information provided to demonstrate a student's eligibility to receive state financial aid awards or tuition assistance grants. Falsification of such information shall result in the denial of a pending application and revocation of an award or grant currently held to the extent that no further payments shall be made. Additionally, students who knowingly make false statements in order to receive state financial aid awards or tuition assistance grants commit a misdemeanor of the second degree subject to the provisions of s. 837.06 and shall be required to return all state financial aid awards or tuition assistance grants wrongfully obtained.

(c) Eligibility for funding for state merit-based scholarship program awards under the Bright Futures Scholarship Program and the Benacquisto Scholarship Program is contingent upon a student meeting the minimum requirements specified in

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291 paragraphs (a) and (b) and any additional requirements specified
 292 in ss. 1009.531, 1009.532, 1009.534, 1009.535, 1009.536, and
 293 1009.893, subject to the following:

294 1. Beginning with students who initially receive an award
 295 in the 2023-2024 academic year:

296 a. A student enrolled in an associate in arts degree
 297 program, or a student enrolled in a state university who has not
 298 been admitted to an academic program, may receive an award up to
 299 the maximum amount established for the scholarship program for a
 300 maximum of 60 credit hours.

301 b. A student enrolled in a certificate program, technical
 302 diploma program, career degree program, or major as a part of a
 303 baccalaureate degree program:

304 (I) May receive an award up to the maximum amount
 305 established for the program if the certificate, diploma, career
 306 degree, or major is not identified on the list established
 307 pursuant to s. 1009.46(2)(a).

308 (II) May receive a reduced award from the maximum
 309 established for the program in the General Appropriations Act if
 310 the certificate, diploma, career degree, or major is identified
 311 on the list established pursuant to s. 1009.46(2)(a).

312 2. Student eligibility for a reduced award from the maximum
 313 award established for the scholarship program, as determined in
 314 the General Appropriations Act, applies to a program of study
 315 that was identified on the list pursuant to s. 1009.46(2)(a) at
 316 the time of the student's initial enrollment, or if the student
 317 changes his or her major program to a program identified on the
 318 list. A student may receive a maximum award established for the
 319 program if the program of study is removed from the list after

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320 the student's initial enrollment, but before the student's
 321 admission to the major.

322 3. Before disbursement of an award, each postsecondary
 323 educational institution shall verify that the funding level a
 324 student is provided aligns with the provisions established in
 325 this paragraph.

326 Section 4. Section 1009.46, Florida Statutes, is created to
 327 read:

328 1009.46 Duties relating to state financial aid and tuition
 329 assistance programs.—

330 (1)(a) Each postsecondary educational institution that
 331 receives state funds for state financial aid and tuition
 332 assistance programs shall:

333 1. Complete and return the annual application for state aid
 334 funds in the format and by the date established by the
 335 Department of Education;

336 2. Maintain complete, accurate, and auditable student
 337 records documenting the institution's administration of state
 338 financial aid and tuition assistance funds;

339 3. Verify eligibility of enrolled students with the
 340 department each academic term;

341 4. Report each student's program of study to the department
 342 using the most recent classification of instructional programs
 343 taxonomy for the certificate or degree level as developed by the
 344 United States Department of Education's National Center for
 345 Education Statistics;

346 5. Disburse state financial aid and tuition assistance to
 347 eligible students;

348 6. Notify students annually regarding the renewal

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requirements for each state-funded award for which they are eligible;

7. Complete and return to the department all reports for the administration of state funds in the format and by the date established by the department;

8. Complete and return to the department all legislatively required reports in the format and by the date established by the department;

9. Retain required records for the later of 5 years or until such records are audited and any audit exceptions are resolved; and

10. Refund to the department any undisbursed advances within 60 days after the end of the regular registration period each fall and spring term, within 30 days after the end of the summer term, or within 60 days after the date a student's ineligibility is determined.

(b) These requirements do not preclude higher standards specified in other sections of this part or rules of the State Board of Education.

(c) An institution that fails to perform its duties in administering state financial aid or tuition assistance programs must be placed on probation by the department.

1. The department shall provide allocations on a reimbursement basis to a participating institution that fails to timely remit undisbursed funds for the previous academic year.

2. The department may suspend or revoke an institution's eligibility to participate in state-funded programs if the institution fails to provide the required audits, fails to resolve audit findings, or fails to timely provide statutorily

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required reports by established deadlines.

(2) (a) By December 31, 2021, the Board of Governors, the State Board of Education, and the Independent Colleges and Universities of Florida shall each identify and publish a list of career certificate and undergraduate and graduate degree programs offered by a district career center, charter technical career center, Florida College System institution, independent college or university, or state university, as applicable, which do not lead directly to employment.

(b) In determining which programs will be included on a list, the Board of Governors, the State Board of Education, and the Independent Colleges and Universities of Florida shall consider national, state, and regional industry demand for certificateholders and graduates of such degree programs. For each certificate and degree program listed, the Board of Governors and the State Board of Education must identify occupations, current job openings, estimates of job growth, and employment wages. The State Board of Education list must include programs at independent colleges and universities licensed by the Commission for Independent Education.

(c) The Board of Governors, the State Board of Education, and the Independent Colleges and Universities of Florida must publish the methodology used in determining whether programs were included on a list.

(d) The respective lists must be updated annually, by December 31, to be effective in the next academic year.

Section 5. Paragraph (a) of subsection (4) and subsection (5) of section 1009.50, Florida Statutes, are amended to read: 1009.50 Florida Public Student Assistance Grant Program;

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eligibility for grants.—

(4) (a) The funds appropriated for the Florida Public Student Assistance Grant Program shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must consider at least the prior year's distribution of funds and, the number of eligible applicants who did not receive awards, ~~the standardization of the expected family contribution, and provisions for unused funds~~. The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.505, 1009.51, and 1009.52.

~~(5) Funds appropriated by the Legislature for state student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Public Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section.~~

Section 6. Subsection (5) of section 1009.505, Florida Statutes, is amended to read:

1009.505 Florida Public Postsecondary Career Education Student Assistance Grant Program.—

~~(5) Funds appropriated by the Legislature for state student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida~~

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~~Public Postsecondary Career Education Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section.~~

Section 7. Paragraph (a) of subsection (4) and subsection (5) of section 1009.51, Florida Statutes, are amended to read:
1009.51 Florida Private Student Assistance Grant Program; eligibility for grants.—

(4) (a) The funds appropriated for the Florida Private Student Assistance Grant Program shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must consider at least the prior year's distribution of funds and, the number of eligible applicants who did not receive awards, ~~the standardization of the expected family contribution, and provisions for unused funds~~. The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.505, and 1009.52.

~~(5) Funds appropriated by the Legislature for Florida private student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Private Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section and as otherwise provided by law.~~

Section 8. Paragraph (a) of subsection (4) and subsection (6) of section 1009.52, Florida Statutes, are amended to read:
1009.52 Florida Postsecondary Student Assistance Grant

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Program; eligibility for grants.—

(4) (a) The funds appropriated for the Florida Postsecondary Student Assistance Grant Program shall be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must consider at least the prior year's distribution of funds and, the number of eligible applicants who did not receive awards, ~~the standardization of the expected family contribution, and provisions for unused funds~~. The formula must account for changes in the number of eligible students across all student assistance grant programs established pursuant to this section and ss. 1009.50, 1009.505, and 1009.51.

~~(6) Funds appropriated by the Legislature for Florida postsecondary student assistance grants may be deposited in the State Student Financial Assistance Trust Fund. Notwithstanding s. 216.301 and pursuant to s. 216.351, any balance in the trust fund at the end of any fiscal year which has been allocated to the Florida Postsecondary Student Assistance Grant Program shall remain therein and shall be available for carrying out the purposes of this section and as otherwise provided by law.~~

Section 9. Subsections (3), (4), and (7) of section 1009.53, Florida Statutes, are amended to read:

1009.53 Florida Bright Futures Scholarship Program.—

(3) The Department of Education shall administer the Bright Futures Scholarship Program according to rules and procedures established by the State Board of Education. A single application must be sufficient for a student to apply for any of the awards. The department shall advertise the availability of the scholarship program and shall notify students, teachers,

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parents, certified school counselors, and principals or other relevant school administrators of the criteria and application procedures. The department must begin this process of notification no later than ~~September~~ January 1 of each year.

(4) Funding for the Bright Futures Scholarship Program must be allocated from the Education Enhancement Trust Fund and must be provided before allocations from that fund are calculated for disbursement to other educational entities.

~~(a)~~ If funds appropriated are not adequate to provide the maximum allowable award to each eligible applicant, awards in all components of the program must be prorated using the same percentage reduction.

~~(b) Notwithstanding s. 216.301, if all funds allocated to the Bright Futures Scholarship Program are not used in any fiscal year, up to 10 percent of the total allocation may be carried forward and used for awards in the following year.~~

(7) A student may receive only one type of award from the Florida Bright Futures Scholarship Program at any given time, but may transfer from one type of award to another through the renewal application process, if the student's eligibility status changes. However, a student is not eligible to transfer from a Florida Medallion Scholarship, a Florida Gold Seal CAPE Scholarship, or a Florida Gold Seal Vocational Scholarship to a Florida Academic Scholarship. ~~A student who receives an award from the program may also receive a federal family education loan or a federal direct loan, and the value of the award must be considered in the certification or calculation of the student's loan eligibility.~~

Section 10. Paragraph (c) is added to subsection (3) of

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section 1009.532, Florida Statutes, to read:

1009.532 Florida Bright Futures Scholarship Program; student eligibility requirements for renewal awards.—

(3)

(c) Notwithstanding paragraph (a), beginning with students initially funded in the 2022-2023 academic year, the maximum number of credit hours which can be awarded must be reduced by the number of postsecondary credit hours the student has earned from articulated acceleration mechanisms under s. 1007.27 which are accepted by the postsecondary educational institution toward the requirements of a career certificate, an applied technology diploma, an associate in applied science degree, or an associate in science degree or in partial fulfillment of general education coursework requirements of an associate or baccalaureate degree.

Section 11. Subsections (1) and (2) of section 1009.534, Florida Statutes, are amended to read:

1009.534 Florida Academic Scholars award.—

(1) A student is eligible for a Florida Academic Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(a) Has achieved a 3.5 weighted grade point average as calculated pursuant to s. 1009.531, or its equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under s. 1009.531(6)(a) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

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(b) Has attended a home education program according to s. 1002.41 during grades 11 and 12, has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma, or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6)(a) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(c) Has been awarded an International Baccalaureate Diploma from the International Baccalaureate Office or an Advanced International Certificate of Education Diploma from the University of Cambridge International Examinations Office;

(d) Has been recognized by ~~the merit or achievement programs of~~ the National Merit Scholarship Corporation as a scholar or finalist; ~~or~~

(e) Has been granted academic honors by one or more of the College Board National Recognition Programs for students from underrepresented communities; or recognized by the National Hispanic Recognition Program as a scholar recipient

(f) For a high school student who graduated in the 2021-2022 academic year and thereafter:

1. Has earned an associate degree with a minimum postsecondary cumulative grade point average of 3.5 on a 4.0 scale before graduating from high school; or
2. Has earned a College Board Advanced Placement Capstone

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581 Diploma with scores of 4 or higher on six Advanced Placement
 582 examinations.

583
 584 The student must complete a program of volunteer service work,
 585 as approved by the district school board, the administrators of
 586 a nonpublic school, or the Department of Education for home
 587 education program students, which must include a minimum of 75
 588 hours of service work for high school students graduating in the
 589 2010-2011 academic year and 100 hours of service work for high
 590 school students graduating in the 2011-2012 academic year and
 591 thereafter. The student must identify a social or civic issue or
 592 a professional area that interests him or her, develop a plan
 593 for his or her personal involvement in addressing the issue or
 594 learning about the area, and, through papers or other
 595 presentations, evaluate and reflect upon his or her experience.
 596 Except for credit earned through service-learning courses
 597 adopted pursuant to s. 1003.497, the student may not receive
 598 remuneration or academic credit for the volunteer service work
 599 performed. Such work may include, but is not limited to, a
 600 business or governmental internship, work for a nonprofit
 601 community service organization, or activities on behalf of a
 602 candidate for public office. The hours of volunteer service must
 603 be documented in writing, and the document must be signed by the
 604 student, the student's parent or guardian, and a representative
 605 of the organization for which the student performed the
 606 volunteer service work.

607 (2) A Florida Academic Scholar who is enrolled in a
 608 certificate, diploma, associate, or baccalaureate degree program
 609 at a public or nonpublic postsecondary educational ~~education~~

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610 institution is eligible for an award equal to the amount
 611 ~~specified necessary to pay 100 percent of tuition and fees~~
 612 ~~established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3),~~
 613 ~~(4), (7), (8), (10), and (11); and 1009.24(4), (7)-(13),~~
 614 ~~(14)(x), and (16), as applicable, and is eligible for an~~
 615 ~~additional stipend for textbooks, to assist with the payment of~~
 616 ~~educational expenses as funds are specifically appropriated in~~
 617 ~~the General Appropriations Act to assist with the payment of~~
 618 educational expenses.

619 Section 12. Section 1009.5341, Florida Statutes, is amended
 620 to read:

621 1009.5341 Florida Bright Futures Scholarship awards for
 622 graduate study.—

623 (1) For the 2021-2022 academic year, Florida Bright Futures
 624 Scholarship recipients who graduate in the 2010-2011 academic
 625 year and thereafter with a baccalaureate degree in 7 semesters,
 626 or the equivalent or fewer hours, and wish to pursue graduate
 627 study may apply the unused portion of their Florida Academic
 628 Scholars award or Florida Medallion Scholars award toward 1
 629 semester of graduate study, not to exceed 15 semester hours paid
 630 at the undergraduate rate. A baccalaureate degree may include,
 631 but is not limited to, college credits earned through
 632 articulated acceleration mechanisms pursuant to s. 1007.27.

633 (2) Beginning with the 2022-2023 academic year, a Florida
 634 Bright Futures Scholarship recipient may apply the unused
 635 portion of his or her Florida Academic Scholars award or Florida
 636 Medallion Scholars award toward graduate study in a degree field
 637 that is not identified on a list developed pursuant to s.
 638 1009.46(2)(a), which must be paid at the undergraduate rate.

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Section 13. Subsections (1) and (2) of section 1009.535, Florida Statutes, are amended to read:

1009.535 Florida Medallion Scholars award.—

(1) A student is eligible for a Florida Medallion Scholars award if he or she meets the general eligibility requirements for the Florida Bright Futures Scholarship Program and:

(a) Has achieved a weighted grade point average of 3.0 as calculated pursuant to s. 1009.531, or the equivalent, in high school courses that are designated by the State Board of Education as college-preparatory academic courses and has attained at least the score required under s. 1009.531(6) (b) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(b) Has completed the International Baccalaureate curriculum but failed to earn the International Baccalaureate Diploma or has completed the Advanced International Certificate of Education curriculum but failed to earn the Advanced International Certificate of Education Diploma, and has attained at least the score required under s. 1009.531(6) (b) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(c) Has attended a home education program according to s. 1002.41 during grades 11 and 12 and has attained at least the score required under s. 1009.531(6) (b) ~~on the combined verbal and quantitative parts of the Scholastic Aptitude Test, the~~

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~~Scholastic Assessment Test, or the recentered Scholastic Assessment Test of the College Entrance Examination, or an equivalent score on the ACT Assessment Program;~~

(d) Has been recognized by the ~~merit or achievement program of the~~ National Merit Scholarship Corporation as a scholar or finalist but has not completed the program of volunteer service work required under s. 1009.534; ~~or~~

(e) Has been granted academic honors by one or more of the College Board National Recognition Programs for students from underrepresented communities recognized by the National Hispanic Recognition Program as a scholar, but has not completed the program of volunteer service work required under s. 1009.534; or

(f) For a high school student who graduates in the 2021-2022 academic year and thereafter:

1. Has earned an associate degree with a minimum cumulative postsecondary grade point average of 3.0 on a 4.0 scale before graduating from high school; or

2. Has earned an Advanced Placement Capstone Diploma with scores of 3 or higher on six Advanced Placement Examinations.

A high school student graduating in the 2011-2012 academic year and thereafter must complete at least 75 hours of volunteer service work approved by the district school board, the administrators of a nonpublic school, or the Department of Education for home education program students. The student must identify a social or civic issue or a professional area that interests him or her, develop a plan for his or her personal involvement in addressing the issue or learning about the area, and, through papers or other presentations, evaluate and reflect

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upon his or her experience. Except for credit earned through service-learning courses adopted pursuant to s. 1003.497, the student may not receive remuneration or academic credit for volunteer service work performed. Such work may include, but is not limited to, a business or governmental internship, work for a nonprofit community service organization, or activities on behalf of a candidate for public office. The hours of volunteer service must be documented in writing, and the document must be signed by the student, the student's parent or guardian, and a representative of the organization for which the student performed the volunteer service work.

(2) A Florida Medallion Scholar who is enrolled in a certificate, diploma, associate, or baccalaureate degree program at a public or nonpublic postsecondary educational education institution is eligible, ~~beginning in the fall 2018 semester,~~ for an award equal to the amount specified in the General Appropriations Act necessary to pay 75 percent of tuition and fees established under ss. 1009.22(3), (5), (6), and (7); 1009.23(3), (4), (7), (8), (10), and (11); and 1009.24(4), (7) - (13), (14)(r), and (16), as applicable, to assist with the payment of educational expenses. Beginning in the fall 2021 semester, a Florida Medallion Scholar who is enrolled in an associate degree program at a Florida College System institution is eligible for an award equal to the amount specified in the General Appropriations Act necessary to pay 100 percent of tuition and fees established under s. 1009.23(3), (4), (7), (8), (10), and (11) to assist with the payment of educational expenses.

Section 14. Section 1009.71, Florida Statutes, is created

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to read:

1009.71 Florida Bright Opportunities Grant Program.—

(1) ESTABLISHMENT; PURPOSE.—The Florida Bright Opportunities Grant Program is established and shall be administered by the participating institutions in accordance with rules of the State Board of Education. The program shall provide an award equal to the amount necessary to cover tuition and registration fees, after applying all other federal and state financial aid, for eligible students at a Florida College System institution, a career center operated by a district school board under s. 1001.44, or a charter technical career center under s. 1002.34.

(2) ELIGIBILITY.—In order to be eligible for the program, a student must have a tuition and registration fee balance not covered by all federal financial and state financial aid, and:

(a) Be enrolled as a student seeking a degree or career certificate in an associate degree, technical certificate, applied technology diploma, or clock hour certificate program at a Florida College System institution, or a clock hour career certificate or diploma program at a district career center or charter technical career center. The students must be enrolled for at least 6 semester hours or the equivalent per term at a Florida College System institution, district career center, or charter technical career center;

(b) Meet the requirements under s. 1009.40(1)(a)2. and 3. and (c); and

(c) Qualify and remain eligible each academic year for the Pell Grant.

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An institution may not impose additional criteria to determine a student's eligibility to receive a grant under this section.

(3) GRANT AWARD.—The program shall:

(a) Cover remaining tuition and registration fees, with a stipend for books as specified in the General Appropriations Act, for eligible students after all other federal and state financial aid is applied to tuition and fees.

(b) Be allocated, subject to the availability of funding, on a first-come, first-served basis. The award may not exceed the cost of tuition and fees at that institution, plus a stipend for books as determined in the General Appropriations Act. Returning students shall receive priority over new students.

(4) AWARD DURATION.—A student is eligible to receive an award for the number of semesters or quarters specified in s. 1009.40(3).

(5) DISTRIBUTION OF FUNDS.—

(a) The funds appropriated for the program must be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must take into account at least the prior year's distribution of funds and the number of eligible applicants who did not receive awards.

(b) Subject to appropriation by the Legislature, payment of grants must be transmitted to the institution in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a disbursement must be determined by each institution as of the end of its regular registration period, inclusive of a drop-add

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period. Institutions may not be required to reevaluate a student's eligibility status after this date for purposes of changing eligibility determinations previously made.

(d) Each participating institution shall report to the department by the established date the number of students eligible for the program for each academic term. Each institution also shall report to the department any necessary demographic and eligibility data for such students.

(e) Institutions shall certify to the department within 30 days after the end of regular registration each term the amount of funds disbursed to each student. Institutions shall remit to the department any undisbursed advances for the fall, spring, and summer terms within 30 days after the end of the summer term.

(6) RULES.—The State Board of Education shall adopt rules to implement this section.

Section 15. Section 1009.711, Florida Statutes, is created to read:

1009.711 Florida Endeavor Scholarship Program.—

(1) ESTABLISHMENT; PURPOSE.—The Florida Endeavor Scholarship Program is established and shall be administered by participating institutions in accordance with rules of the State Board of Education. The program shall provide an award equal to the amount necessary to cover tuition, registration, and testing fees, including high school equivalency diploma test fees, for eligible students at a Florida College System institution, a career center operated by a district school board under s. 1001.44, or a charter technical career center under s. 1002.34.

(2) ELIGIBILITY.—In order to be eligible for the program, a

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student may not have earned a high school credential before enrolling at the institution, and must:

(a) Be enrolled in a career certificate or noncollege-credit applied technology diploma program or in a General Education Program at a Florida College System institution, a district career center, or a charter technical career center;

(b) Meet the requirements under s. 1009.40(1)(a)2. and 3. and (c);

(c) Demonstrate readiness for enrollment in a postsecondary clock hour program. The student shall:

1. Meet the basic skills assessment requirement for the certificate or diploma program;

2. Demonstrate grade 9 level or above literacy and numeracy skills on an assessment approved by the State Board of Education for basic skills; or

3. Enroll for at least one term in a school district or Florida College System institution Integrated Education and Training program.

(d) To maintain eligibility after the initial term of enrollment, a student must demonstrate progress toward the completion of a clock hour certificate or diploma program through attendance and successful completion of program standards. A student who does not maintain attendance and progress toward completion of courses in the program is not eligible for a renewal award.

An institution may not impose additional criteria to determine a student's initial eligibility to receive a grant under this section.

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(3) SCHOLARSHIP AWARD.—A student is eligible to receive an award equal to the amount to cover tuition and registration fees for a career certificate or applied technology diploma program for the number of semesters or quarters specified in s. 1009.40(3). The award may not exceed the cost of tuition and registration fees at that institution. The institution shall award scholarships subject to the availability of funding, on a first-come, first-served basis. Returning students must be given priority over new students.

(4) DISTRIBUTION OF FUNDS.—

(a) The funds appropriated for the program must be distributed to eligible institutions in accordance with a formula approved by the State Board of Education. The formula must take into account at least the prior year's distribution of funds and the number of eligible applicants who did not receive awards.

(b) Subject to the appropriation of funds by the Legislature, the department shall transmit payment of grants to the institution in advance of the registration period. Institutions shall notify students of the amount of their awards.

(c) The eligibility status of each student to receive a disbursement must be determined by each institution as of the end of its regular registration period, inclusive of a drop-add period. Institutions may not be required to reevaluate a student's eligibility status after this date for purposes of changing eligibility determinations previously made.

(d) Each participating institution shall report to the department by the established date the number of students

581-02942-21

202186c1

871 eligible for the program for each academic term. Each
 872 institution also shall report to the department any necessary
 873 demographic and eligibility data for such students.
 874 (e) Institutions shall certify to the department within 30
 875 days after the end of regular registration each term the amount
 876 of funds disbursed to each student. Institutions shall remit to
 877 the department any undisbursed advances for the fall, spring,
 878 and summer terms within 30 days after the end of the summer
 879 term.
 880 (5) RULES.—The State Board of Education shall adopt rules
 881 to implement this section.
 882 Section 16. Paragraph (b) of subsection (4) and subsection
 883 (5) of section 1009.893, Florida Statutes, are amended to read:
 884 1009.893 Benacquisto Scholarship Program.—
 885 (4) In order to be eligible for an initial award under the
 886 scholarship program, a student must meet the requirements of
 887 paragraph (a) or paragraph (b).
 888 (b) A student who initially enrolls in a baccalaureate
 889 degree program in the 2018-2019 through 2021-2022 academic years
 890 ~~year or later~~ and who is not a resident of this state, as
 891 determined in s. 1009.40 and rules of the State Board of
 892 Education, must:
 893 1. Physically reside in this state on or near the campus of
 894 the postsecondary educational institution in which the student
 895 is enrolled;
 896 2. Earn a high school diploma from a school outside Florida
 897 which is comparable to a standard Florida high school diploma or
 898 its equivalent pursuant to s. 1002.3105, s. 1003.4281, s.
 899 1003.4282, or s. 1003.435 or must complete a home education

581-02942-21

202186c1

900 program in another state; and
 901 3. Be accepted by and enrolled full-time in a baccalaureate
 902 degree program at an eligible regionally accredited Florida
 903 public or independent postsecondary educational institution
 904 during the fall academic term following high school graduation.
 905 (5) (a) 1. An eligible student who meets the requirements of
 906 paragraph (4) (a), who is a National Merit Scholar, and who
 907 attends a Florida public postsecondary educational institution
 908 shall receive a scholarship award as specified in the General
 909 Appropriations Act equal to the institutional cost of attendance
 910 minus the sum of the student's Florida Bright Futures
 911 Scholarship and National Merit Scholarship.
 912 2. An eligible student who meets the requirements of
 913 paragraph (4) (b), who is a National Merit Scholar, and who
 914 attends a Florida public postsecondary educational institution
 915 shall receive a scholarship award as specified in the General
 916 Appropriations Act equal to the institutional cost of attendance
 917 ~~for a resident of this state minus the student's National Merit~~
 918 ~~Scholarship.~~ Such student is exempt from the payment of out-of-
 919 state fees.
 920 (b) An eligible student who is a National Merit Scholar and
 921 who attends a Florida independent postsecondary educational
 922 institution shall receive a scholarship award as specified in
 923 the General Appropriations Act equal to the highest cost of
 924 attendance for a resident of this state enrolled at a Florida
 925 public university, as reported by the Board of Governors of the
 926 State University System, minus the sum of the student's Florida
 927 Bright Futures Scholarship and National Merit Scholarship.
 928 Section 17. This act shall take effect July 1, 2021.



THE FLORIDA SENATE

Tallahassee, Florida 32399-1100

COMMITTEES:
Ethics and Elections, *Chair*
Appropriations Subcommittee on Criminal and
Civil Justice
Community Affairs
Criminal Justice
Health Policy
Judiciary
Rules

JOINT COMMITTEE:
Joint Legislative Auditing Committee,
Alternating Chair

SENATOR DENNIS BAXLEY
12th District

March 16, 2021

The Honorable Chair Doug Broxson
418 Senate Office Building
Tallahassee, FL 32399

Dear Chairman Broxson,

I would like to request that CS/SB 86 Financial Aid be placed on the next agenda in the Education Appropriation Committee.

The Bright Futures (BF), the Florida Academic Scholars and Florida Medallion Scholars awards will be determined in the GAA. Beginning in 2022-23 academic year and thereafter, the total credits covered by an award will be reduced by the number of college credit hours earned through acceleration mechanisms, such as AP, IB, or dual enrollment, and the bill specifies the deduction only if the credit is accepted by the institution and applies to a career program requirements, or to general education courses.

It will require Board of Governors and State Board of Education to approve, by Dec. 2021, lists of certificate and degree programs that DO NOT lead directly to employment. They are also required to develop an online dashboard that gives salary, income, debt, and continuing education information about university graduates that the students will have access to.

This bill establishes a program for Pell Grant-eligible students with a tuition and fee balance at FCS institutions and career centers after all federal and state financial assistance has been used.

CS/SB 86 also establishes the Endeavor Scholarship program for students in a workforce program who do NOT have a HS diploma or GED. This will be a first come, first served.

I appreciate your favorable consideration.

Onward & Upward,


Senator Dennis Baxley
Senate District 12

DKB/dd

REPLY TO:

- 206 South Hwy 27/441, Lady Lake, Florida 32159 (352) 750-3133
- 315 SE 25th Avenue, Ocala, Florida 34471 (352) 789-6720
- 322 Senate Building, 404 South Monroe Street, Tallahassee, Florida 32399-1100 (850) 487-5012

Senate's Website: www.fisenate.gov

WILTON SIMPSON
President of the Senate

AARON BEAN
President Pro Tempore

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/23/21

Meeting Date

86

Bill Number (if applicable)

894796

Amendment Barcode (if applicable)

Topic Student Financial Aid

Name Dr. Daniello Thomas

Job Title VP of Education

Address 1747 Orlando Central Pkwy

Street

Orlando

City

FL

State

32809

Zip

Phone 407855 7604

Email vp.education@floridapta.org

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

This form is part of the public record for this meeting.

S-001 (10/14/14)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/23/21

Meeting Date

86

Bill Number (if applicable)

606296

Amendment Barcode (if applicable)

Topic Student Financial Aid

Name Dr Dannelle Thomas

Job Title VP of Education

Address 1747 Orlando Central Pkwy

Street

Orlando

FL

32809

City

State

Zip

Phone 407 855 7604

Email

Speaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☒ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Florida PTA

Appearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

APPEARANCE RECORD

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3/23/21

Meeting Date

SB 86

Bill Number (if applicable)

Topic BF + Benacquisto scholarship SB 86

Amendment Barcode (if applicable)

Name Andrea Roush

Job Title Pedit PT

Address 5 Maple St

Phone 978-512-1529

Street

Pepperell

MA

01463

City

State

Zip

Email alfielou@yahoo.com

Speaking: ☐ For ☒ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☐ NoLobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

4

3/23

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

51386

Meeting Date

Bill Number (if applicable)

Topic Bright Futures

Amendment Barcode (if applicable)

Name Andres Riquardo

Job Title Student

Address 510 W Virginia St 1321-D

Phone (407) 350-8674

Street

Tallahassee

FL

32301

City

State

Zip

Email add18c@my.fsu.edu

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing My family and friends

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

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3/23/2021

Meeting Date

SB86

Bill Number (if applicable)

Topic Bright Futures

Amendment Barcode (if applicable)

Name Samantha McLoughlin

Job Title _____

Address 5545 OAKWORTH PLACE

Street

Phone 407-247-5487Sanford

City

FL

State

32173

Zip

Email sammcloughlin@gmail.comSpeaking: ☐ For ☒ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)Representing FSU College DemocratsAppearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/23/21

Meeting Date

860

Bill Number (if applicable)

Topic

Student Financial Aid

Amendment Barcode (if applicable)

Name

Dr. Danielle Thomas

Job Title

VP of Education

Address

1747 Orlando Central Pkwy

Phone

407 855 7604

Street

City

Orlando

State

FL

Zip

32809

Email

vp.education@
FloridaPTA.orgSpeaking: ☐ For ☐ Against ☐ InformationWaive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing

Florida PTA

Appearing at request of Chair: ☐ Yes ☐ NoLobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

APPEARANCE RECORD

7

3/23/21

Meeting Date

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

86

Bill Number (if applicable)

Topic Bright Futures

Amendment Barcode (if applicable)

Name Angie Gallo

Job Title Education Advocate

Address _____
Street

Phone _____

City

State

Zip

Email _____

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Alliance for Public Schools

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/23/21

Meeting Date

SB-86

Bill Number (if applicable)

666218

Amendment Barcode (if applicable)

Topic SB-86 Amendment

Name Heesu Seo

Job Title Student

Address 3317 Barron Hill Trl

Street

Tallahassee

City

FL

State

32312

Zip

Phone 407-630-3029

Email hseos461@gmail.com

Speaking: ☒ For ☐ Against ☐ InformationWaive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Save Bright Futures

Appearing at request of Chair: ☐ Yes ☒ NoLobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

APPEARANCE RECORD

9

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

2/23/21

Meeting Date

86

Bill Number (if applicable)

SB 86

Topic

Amendment Barcode (if applicable)

Name Sadie Carlson

Job Title student

Address 1834 Jackson Bluff

Phone (552) 231-5528

Street

Email Sadie.mcc@30.org

City

State

Zip

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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THE FLORIDA SENATE
APPEARANCE RECORD

10

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

03-23-2021

Meeting Date

SB86

Bill Number (if applicable)

Topic Bright Futures

Amendment Barcode (if applicable)

Name Alison Roush

Job Title Student

Address S Maple Street

Phone 978-812-1899

Pepperell
City

MA
State

01463
Zip

Email roushaa@outlook.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing —

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/23/21

Meeting Date

SB 86

Bill Number (if applicable)

Topic SB 86

Amendment Barcode (if applicable)

Name Hope Evans

Job Title Student

Address 500 chapel Dr. APT 420-223

Phone 813-365-2637

Street

Tallahassee

FL

State

33565

Zip

Email hope.a.evans.626@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/23/21
Meeting Date

SB 86
Bill Number (if applicable)

Topic SB 86

Amendment Barcode (if applicable)

Name Mitchell Allen

Job Title _____

Address 1636 Broome St Phone _____
Street

Fernandina Beach FL 32034 Email _____
City State Zip

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

03/24/2021
Meeting Date

SB 86
Bill Number (if applicable)

Topic SB 86

Amendment Barcode (if applicable)

Name Jonce Palmer

Job Title Teacher

Address 395 Prince St.

Phone 850 520 0022

Street

Tallahassee

City

FL

State

32304

Zip

Email jonce.palmer@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing Students for a Democratic Society

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/24/21

Meeting Date

86

Bill Number (if applicable)

Topic SB86

Amendment Barcode (if applicable)

Name Sadie Carlson

Job Title Student

Address 1834 Jackson Bluff Rd

Phone 352 231 3528

Street

Tallahassee

FL

State

32304

Zip

Email sadiecarlson@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☐ Against
(The Chair will read this information into the record.)

Representing _____

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☐ Yes ☒ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE

APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/23/21
Meeting Date

86
Bill Number (if applicable)

Topic Bright Futures

Amendment Barcode (if applicable)

Name Lauren Gallow

Job Title Lobbyist

Address 1016 E College Ave

Phone 880-224-1660

Tallahassee FL 32307
City State Zip

Email

Speaking: ☐ For ☐ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing League of Women's Voters

Appearing at request of Chair: ☐ Yes ☒ No

Lobbyist registered with Legislature: ☒ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

THE FLORIDA SENATE
APPEARANCE RECORD

(Deliver BOTH copies of this form to the Senator or Senate Professional Staff conducting the meeting)

3/23/21
Meeting Date

SB86
Bill Number (if applicable)

Topic SB86 - Bright Futures

Amendment Barcode (if applicable)

Name Jacob Muldern

Job Title Student

Address 1505 W Tharpe

Phone 407 505 8140

Street

Tallahassee

City

FL

State

22303

Zip

Email jacob.muldern13@gmail.com

Speaking: ☐ For ☒ Against ☐ Information

Waive Speaking: ☐ In Support ☒ Against
(The Chair will read this information into the record.)

Representing Students for a Democratic Society - FSU

Appearing at request of Chair: ☐ Yes ☐ No

Lobbyist registered with Legislature: ☐ Yes ☐ No

While it is a Senate tradition to encourage public testimony, time may not permit all persons wishing to speak to be heard at this meeting. Those who do speak may be asked to limit their remarks so that as many persons as possible can be heard.

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S-001 (10/14/14)

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 Appropriations Subcommittee on Education

BILL: CS/SB 486

INTRODUCER: Education Committee and Senator Bradley

SUBJECT: Juvenile Justice Education Programs

DATE: March 22, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Jahnke	Bouck	ED	Fav/CS
2. Underhill	Elwell	AED	Recommend: Favorable
3. _____	_____	AP	_____

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

CS/SB 486 modifies how juvenile justice education programs are operated and funded. These modifications include how instructional time is defined and how funds are allocated between school districts and educational providers. Specifically, the bill:

- Provides for equivalent hours of instruction in the definition of “juvenile justice education programs or schools” for nonresidential programs.
- Requires that at least 95 percent of Florida Education Finance Program (FEFP) funds generated by a student in Department of Juvenile Justice programs or specified education program for juveniles must be spent on instructional costs.
- Requires all contracts between district school boards and juvenile justice education programs to be in writing.
- Requires timely satisfaction of invoices by district school boards, with a penalty for late payments.
- Specifies that district school boards may not delay payment of funds owed to juvenile justice education programs pending receipt of local funds.

The bill has no impact on state revenues or expenditures. However districts will be required to spend an additional 5% of the FEFP funds generated by the Department of Juvenile Justice students on instructional costs. See Section V.

The bill takes effect July 1, 2021.

II. Present Situation:

Juvenile Justice Education Programs and Schools

Juvenile justice education programs or schools operate for the purpose of providing educational services to youth in Department of Juvenile Justice (DJJ) programs, for a school year comprised of 250 days of instruction distributed over 12 months. At the request of the provider, a district school board may decrease the minimum number of days of instruction by up to 10 days for teacher planning for residential programs and up to 20 days for teacher planning for nonresidential programs, subject to the approval of the DJJ and the Department of Education (DOE).¹

A juvenile justice provider is the DJJ, the sheriff, or a private, public, or other governmental organization under contract with the DJJ or the sheriff that provides treatment, care and custody, or educational programs for youth in juvenile justice intervention, detention, or commitment programs.²

Educational Services in DJJ Programs

The DOE acts as the lead agency for juvenile justice education programs and sets the standards for curriculum and other support services.³

Students who do not attend a local public school due to their placement in a DJJ detention, prevention, residential, or day treatment program are provided high-quality and effective educational programs by the local school district in which the DJJ facility is located or by an education provider through a contract with the local school district.⁴ Each program must be conducted according to applicable law providing for the operation of public schools and rules of the State Board of Education.⁵

The district school board must make provisions for each student to participate in basic, Career and Professional Education (CAPE), and exceptional student programs, as appropriate. Students served in DJJ education programs must have access to the appropriate courses and instruction to prepare them for the high school equivalency examination. School districts must provide the high school equivalency examination exit option for all juvenile justice education programs.⁶

With the assistance of the school districts and juvenile justice education providers, the DOE must select a common student assessment instrument and protocol for measuring student learning gains and student progression while a student is in a juvenile justice education program.⁷

¹ Section 1003.01(11)(a), F.S.

² Section 1003.01(11)(b), F.S.

³ Section 1003.52(1), F.S.

⁴ Rule 6A-6.05281(2), F.A.C.

⁵ Section 1003.52(3)(a), F.S.

⁶ *Id.*

⁷ Section 1003.52(3)(b), F.S.

Funding of Students Enrolled in Juvenile Justice Education Programs

Funding for eligible students enrolled in juvenile justice education programs is provided through the Florida Education Finance Program (FEFP).⁸ Students participating in high school equivalency examination preparation programs are funded at the basic program cost factor for DJJ programs in the FEFP.⁹

Funding of instruction in a standard school is limited to 900 hours for a student in Grade 4 through Grade 12 and 720 hours for a student in Kindergarten through Grade 3. DJJ programs are permitted to receive funding for instruction provided beyond the 180 day limit. DJJ students, both residential and nonresidential, are funded for one FTE (900 hours or 180 days of instruction during the regular school year) and up to an additional 45 days (or 350 hours) of instruction during the summer, for a total of 250 days of instruction. DJJ programs are the only exception to the summer school earning and reporting of FTE because their programs are year-round.¹⁰

An hourly equivalent for the 250 days of instruction has not been established in statute, administrative rule, or through DOE guidelines. Flexibility within the 25-hour week was provided to DJJ programs through an October 2010 DOE technical assistance paper. However, when rule 6A-6.05281 of the Florida Administrative Code, was amended, the flexibility was removed.¹¹

At least 90 percent of the FEFP funds generated by students in DJJ programs or in an education program for juveniles must be spent on instructional costs for those students.¹²

One hundred percent of the formula-based categorical funds¹³ generated by students in DJJ programs must be spent on appropriate categoricals, such as instructional materials and public school technology for those students.¹⁴

Contracts with Providers

Each school district that provides educational services to students in a DJJ facility must negotiate a cooperative agreement with DJJ and may negotiate educational service contracts with private education service providers if they do not directly provide the education services.¹⁵ The district school board of the county in which the juvenile justice education prevention, day treatment, residential, or detention program is located must provide or contract for appropriate educational assessments and an appropriate program of instruction and special education services.¹⁶ Such contracts must include the following:

⁸ Section 1011.62, F.S.

⁹ Section 1003.52(3)(a), F.S.

¹⁰ Section 1011.61, F.S.

¹¹ Department of Education, Senate Bill 486 *Legislative Bill Analysis* (Jan. 11, 2021) (on file with the Senate Appropriations Subcommittee on Education).

¹² Section 1003.51(2)(i), F.S.

¹³ Section 1011.62(10), F.S.

¹⁴ Section 1003.51(2)(i), F.S.

¹⁵ Florida Department of Education, *Developing Effective Education in the Department of Juvenile Justice Annual Report 2019-2019* available at <http://www.fldoe.org/core/fileparse.php/7567/urlt/DevEffEduDJJ1819.pdf>.

¹⁶ Section 1003.52(3), F.S. and Rule 6A-6.05281(9), F.A.C.

- Payment structure and amounts;
- Access to district services;
- Contract management provisions;
- Data maintenance and reporting requirements;
- Administrative guidelines and oversight of federal programs; and
- Require that all educational services comply with this rule.¹⁷

III. Effect of Proposed Changes:

CS/SB 486 modifies how juvenile justice education programs are operated and funded. These modifications include how instructional time is defined and how funds are allocated between school districts and educational providers.

The bill modifies the definition of “juvenile justice education programs or schools” by allowing for the number of instructional days, currently 250 days over 12 months, to be expressed in equivalent hours for nonresidential programs. These hours must be specified by the State Board of Education (SBE) and reviewed annually. Further, the bill specifies that current law authorizing a district school board to decrease the minimum number of days of instruction by up to 20 days for nonresidential programs may also be expressed in hours, subject to SBE rule. In any case, a DJJ nonresidential program will still be funded based on one FTE (900 hours) for the regular school year and up to 350 hours (.38 FTE) during the summer school period.

The bill adjusts the requirements for Florida Education Finance Program (FEFP) funds generated by students in Department of Juvenile Justice (DJJ) or juvenile delinquency education programs. The bill increases the funding amounts that must be spent on instructional cost for students from 90 percent to 95 percent of the funds generated. Increasing the percentage of FEFP dollars that must be provided to a DJJ educational program for instructional cost from 90 percent to 95 percent would have a 5 percent reduction for school districts in administrative dollars which are often used to provide accountability oversight.¹⁸ Districts that have a high administrative overhead may have difficulty providing the same level of administrative support and oversight within the five percent of funds generated by the DJJ program FEFP. If that is the case, then the supplemental administrative funds will have to be provided from some other source.

The bill provides additional requirements for contracts between district school boards and juvenile justice education programs. Specifically, the bill requires:

- All contracts to be in writing between district school boards desiring to contract directly with juvenile justice education programs to provide academic instruction.
- New or renewal contracts to be executed and negotiated within 40 days after the district school board provides the proposal, unless both parties agree to an extension.
- District school boards to satisfy invoices issued by the juvenile justice education program within 15 working days after receipt.
 - If a district school board does not timely issue a warrant for payment, it must pay to the juvenile justice education program interest at a rate of one percent per month, calculated

¹⁷ Rule 6A-6.05281(9), F.A.C.

¹⁸ Department of Juvenile Justice, *Legislative Bill Analysis for SB 486* (Jan. 25, 2021).

- on a daily basis, on the unpaid balance until such time as a warrant is issued for the invoice and accrued interest amount.
- District school boards may not delay payment to a juvenile justice education program of any portion of funds owed pending the district's receipt of local funds.

The bill takes effect July 1, 2021.

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 has no impact on state appropriations; however, it does affect school district expenditure of funds for DJJ programs.

The requirement for school districts to spend 95 percent of the funds generated by DJJ students on instructional costs for those students, an increase of 5 percent over the

percentage required under current law, may result in approximately an additional \$2.1 million being spent on instructional costs by districts for DJJ students.¹⁹

This would be a 5% reduction in administrative dollars for the districts, which are often used to provide accountability oversight.²⁰ Districts that have high administrative overhead for the DJJ programs may be challenged to provide the same level of administrative and accountability support within the funds generated by the DJJ program FEFP. If that is the case, then supplemental administrative funds will have to be provided from some other source.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1003.01, 1003.51, and 1003.52.

IX. Additional Information:

- A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

CS by Education on March 2, 2021

The committee substitute:

- Clarifies that the use of equivalent instructional days expressed in hours is only applicable to nonresidential programs.
- Removes redundant language regarding equivalent hours as specified in the State Board of Education rule.
- Modifies the length of time district school boards must satisfy invoices issued by juvenile justice programs from 10 working days to 15 working days.
- Removes the requirement that district school boards provide proposed contracts to juvenile justice education programs by April 1.

- B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

¹⁹ Department of Education, Senate Bill 486 *Legislative Bill Analysis* (Jan. 11, 2021) (on file with the Senate Appropriations Subcommittee on Education).

²⁰ Department of Juvenile Justice, Senate Bill 486 *Legislative Bill Analysis* (Jan. 25, 2021) (on file with the Senate Appropriations Subcommittee on Education).

By the Committee on Education; and Senator Bradley

581-02355-21

2021486c1

A bill to be entitled

An act relating to juvenile justice education programs; amending s. 1003.01, F.S.; redefining the term "juvenile justice education programs or schools"; amending s. 1003.51, F.S.; increasing the percentage of certain funds that must be spent on specified costs; clarifying that Department of Juvenile Justice education programs are entitled to certain funds; requiring such funds to be spent in a certain manner; amending 1003.52, F.S.; requiring that contracts between district school boards and juvenile justice education programs be in writing; providing a timeframe within which district school boards and juvenile justice education programs must negotiate and execute their contracts; authorizing an extension of time; requiring the Department of Education to provide mediation services for certain disputes; requiring district school boards satisfy certain invoices within a specified timeframe; requiring district school boards that fail to timely issue a warrant for payment to also pay interest at a specified rate to the juvenile justice education program; prohibiting school boards from delaying certain payments pending receipt of local funds; conforming a cross-reference; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (a) of subsection (11) of section

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1003.01, Florida Statutes, is amended to read:

1003.01 Definitions.—As used in this chapter, the term:

(11) (a) "Juvenile justice education programs or schools"

means programs or schools operating for the purpose of providing educational services to youth in Department of Juvenile Justice programs, for a school year composed ~~comprised~~ of 250 days of instruction, or the equivalent expressed in hours as specified in State Board of Education rule, distributed over 12 months. If the period of operation is expressed in hours, the State Board of Education must review the calculation annually. The use of the equivalent expressed in hours is only applicable to nonresidential programs. At the request of the provider, a district school board may decrease the minimum number of days of instruction by up to 10 days for teacher planning for residential programs and up to 20 days or equivalent hours as specified in the State Board of Education rule for teacher planning for nonresidential programs, subject to the approval of the Department of Juvenile Justice and the Department of Education.

Section 2. Paragraph (i) of subsection (2) of section 1003.51, Florida Statutes, is amended to read:

1003.51 Other public educational services.—

(2) The State Board of Education shall adopt rules articulating expectations for effective education programs for students in Department of Juvenile Justice programs, including, but not limited to, education programs in juvenile justice prevention, day treatment, residential, and detention programs. The rule shall establish policies and standards for education programs for students in Department of Juvenile Justice programs

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and shall include the following:

(i) Funding requirements, which ~~must provide shall include~~ the requirement that at least 95 ~~90~~ percent of the FEFP funds generated by students in Department of Juvenile Justice programs or in an education program for juveniles under s. 985.19 ~~must~~ be spent on instructional costs for those students. Department of Juvenile Justice education programs are entitled to 100 one ~~hundred~~ percent of the formula-based categorical funds generated by students in Department of Juvenile Justice programs. Such funds must be spent on appropriate categoricals, such as instructional materials and public school technology for those students.

Section 3. Present paragraphs (a) and (b) of subsection (3) of section 1003.52, Florida Statutes, are redesignated as paragraphs (c) and (d), respectively, and new paragraphs (a) and (b) are added to that subsection, and paragraph (a) of subsection (17) of that section is amended, to read:

1003.52 Educational services in Department of Juvenile Justice programs.—

(3) The district school board of the county in which the juvenile justice education prevention, day treatment, residential, or detention program is located shall provide or contract for appropriate educational assessments and an appropriate program of instruction and special education services.

(a) All contracts between a district school board desiring to contract directly with juvenile justice education programs to provide academic instruction for students in such programs must be in writing. Unless both parties agree to an extension of

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time, the district school board and the juvenile justice education program shall negotiate and execute a new or renewal contract within 40 days after the district school board provides the proposal to the juvenile justice education program. The Department of Education shall provide mediation services for any disputes relating to this paragraph.

(b) District school boards shall satisfy invoices issued by juvenile justice education programs within 15 working days after receipt. If a district school board does not timely issue a warrant for payment, it must pay to the juvenile justice education program interest at a rate of 1 percent per month, calculated on a daily basis, on the unpaid balance until such time as a warrant is issued for the invoice and accrued interest amount. The district school board may not delay payment to a juvenile justice education program of any portion of funds owed pending the district's receipt of local funds.

(17) The department, in collaboration with the Department of Juvenile Justice, shall collect data and report on commitment, day treatment, prevention, and detention programs. The report shall be submitted to the President of the Senate, the Speaker of the House of Representatives, and the Governor by February 1 of each year. The report must include, at a minimum:

(a) The number and percentage of students who:

1. Return to an alternative school, middle school, or high school upon release and the attendance rate of such students before and after participation in juvenile justice education programs.

2. Receive a standard high school diploma or a high school equivalency diploma.

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- 117 3. Receive industry certification.
- 118 4. Enroll in a postsecondary educational institution.
- 119 5. Complete a juvenile justice education program without
- 120 reoffending.
- 121 6. Reoffend within 1 year after completion of a day
- 122 treatment or residential commitment program.
- 123 7. Remain employed 1 year after completion of a day
- 124 treatment or residential commitment program.
- 125 8. Demonstrate learning gains pursuant to paragraph (3) (d)
- 126 ~~(3) (b)~~.
- 127 Section 4. This act shall take effect July 1, 2021.

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 Appropriations Subcommittee on Education

BILL: SB 1372

INTRODUCER: Senator Burgess

SUBJECT: Literacy Improvement

DATE: March 22, 2021

REVISED: 3/24/21

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Brick</u>	<u>Bouck</u>	<u>ED</u>	Favorable
2. <u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3. <u></u>	<u></u>	<u>AP</u>	

I. Summary:

SB 1372 establishes the New Worlds Reading Initiative to improve literacy skills and instill a love of reading by providing high-quality free books to students in kindergarten through grade 5 who are reading below grade level. The bill:

- Requires the Department of Education or a contracted third party to administer the program using state funds to pay for half of the cost to provide free books to students.
- Authorizes school districts, and charter schools in nonparticipating school districts, to provide for free monthly book delivery to students in kindergarten through grade 5 who exhibit a substantial deficiency in reading and choose to participate in the program.
- Requires participating school districts or charter schools to partner with a nonprofit organization to implement the initiative and to provide half the cost of the program from local funding sources.
- Requires the administrator to annually report to the Legislature and the Commissioner of Education on the performance of the program.

The cost of the book distribution initiative created by this bill requires a significant appropriation of state funds to support the districts that choose to participate in the program. See Section V.

The bill provides an effective date of July 1, 2021.

II. Present Situation:

Forty-three percent of the students entering kindergarten in 2020 demonstrated literacy skills that fell below grade-level expectations.¹ Forty-two percent of third grade students were assessed as

¹ Florida Department of Education (DOE), FLKRS Statewide Results, *Fall 2020 Florida Kindergarten Readiness Screener (FLKRS)*, available at <http://www.fldoe.org/accountability/assessments/k-12-student-assessment/flkrs/flkrs-sw-results.stml> (download excel file "Fall 2020 FLKRS Results by District") (last visited Mar. 5, 2021).

reading below grade level in 2019.² Students who read below grade level at the end of third grade are less likely to graduate high school by age 19.³

The availability of learning materials in the home supports children's language and literacy skills.⁴ Children who participate in free book distribution programs between birth to age five experience a positive effect on literacy development.⁵

Student Reading Progression

Each district school board is required to establish a comprehensive plan for student progression which must provide for a student's progression from one grade to another based on the student's mastery of English Language Arts, mathematics, science, and social studies standards.⁶ The plan must include criteria that emphasize student reading proficiency in kindergarten through grade 3. Students in kindergarten through grade 3 who exhibit a substantial deficiency in reading based upon screening, diagnostic, progress monitoring, or assessment data; statewide assessments; or teacher observations must be provided intensive, explicit, systematic, and multisensory reading interventions immediately following the identification of the reading deficiency.⁷

Research-Based Reading Instruction Allocation

The state allocates funding to school districts for research-based reading instruction to students in kindergarten through grade 12.⁸ Funds must be used to provide a system of comprehensive reading instruction to students enrolled in kindergarten through grade 12, including, for example:⁹

- Summer reading camps for students in kindergarten through grade 5 who exhibit certain reading deficiencies, depending on grade level.¹⁰

² DOE, *Florida Standards Assessments* (2019), available at <http://www.fldoe.org/core/fileparse.php/5668/urlt/80FSAResults19.pdf>, at 4.

³ Donald J. Hernandez, The Annie E. Casey Foundation, *Double Jeopardy: How Third-Grade Reading Skills and Poverty Influence High School Graduation* (2012), available at <https://www.aecf.org/m/resourcedoc/AECF-DoubleJeopardy-2012-Full.pdf#page=3> (last visited Mar. 5, 2021).

⁴ Eileen T. Rodriguez & Catherine S. Tamis-LeMonda, *Trajectories of the Home Learning Environment Across the First 5 Years: Associations with Children's Vocabulary and Literacy Prekindergarten*, 82 CHILD DEVELOPMENT 1058, 1059 (2011).

⁵ Merel de Bondt et al., *Do Book Giveaway Programs Promote Home Literacy Environment and Children's Literacy-Related Behavior and Skills?*, 90 Review of Education Research 349 (2020), available at <https://journals.sagepub.com/doi/pdf/10.3102/0034654320922140>.

⁶ Section 1008.25(2), F.S.

⁷ Section 1008.25(5)(a), F.S. Students in kindergarten through grade 2 do not participate in statewide, standardized assessments.

⁸ Section 1011.62(9), F.S. The state appropriated \$130 million to school districts for the research-based reading instruction allocation for the 2020-2021 fiscal year. Specific Appropriations 8 and 92, ch. 2020-111, s. 2, Laws of Fla.

⁹ Section 1011.62(9)(c), F.S. The state also appropriated \$236.6 million to school districts for instructional materials for the 2020-2021 fiscal year. Specific Appropriations 8 and 92, ch. 2020-111, s. 2, Laws of Fla. School districts are authorized to use half of the funds allocated for instructional materials for library books. Section 1006.40(3)(b), F.S. School district expenditures for library books in the 2019-2020 fiscal year totaled \$63.4 million. DOE, *School District Annual Financial Reports* (2019-2020), available at <http://www.fldoe.org/core/fileparse.php/7507/urlt/1920afrStateSummary.PDF>, at 23 (last visited Mar. 5, 2021).

¹⁰ All students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and students in grades 3 through 5 who score at Level 1 on the statewide, standardized English Language Arts assessment. Section 1011.62(9)(c)5., F.S.

- Supplemental instructional materials that are grounded in scientifically based reading research as identified by the Just Read, Florida! Office.¹¹
- Intensive interventions for students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the statewide, standardized English Language Arts assessment.

District school boards must develop K-12 comprehensive reading plans that detail the specific uses of the research-based reading instruction allocation. The plans must provide for intensive reading interventions through integrated curricula that incorporate strategies identified by the Just Read, Florida! Office and are delivered by a teacher who is certified or endorsed in reading.¹² In the 2020-2021 fiscal year, school districts allocated \$36.9 million of the total \$130 million appropriated under the research-based reading instruction allocation¹³ for elementary reading intervention teachers, supplemental reading materials and interventions, and summer reading camps.¹⁴

Parental Notification and Choice

The parent of any student who exhibits a substantial deficiency in reading must be notified in writing of the deficiency and of all available services and proposed interventions, and be provided with a “read at home plan,” which outlines strategies that parents can use to help their children improve in reading.¹⁵

Students enrolled in public school in grades 3 through 5 and score below grade level on the statewide, standardized English Language Arts (ELA) assessment in the prior school year may also be eligible for a reading scholarship account of \$500.¹⁶ A total of 6,763 students received reading scholarship accounts in the 2019-2020 school year.¹⁷ The state appropriated \$7.6 million for reading scholarship accounts for the 2020-2021 school year.¹⁸

In the 2020-2021 school year, 112,295 students enrolled in public schools in kindergarten through grade 5 were identified as having substantial deficiencies in reading and receiving Tier III supports.¹⁹

¹¹ Just Read, Florida! is an office within the DOE established to help students read at their highest potential. Section 1001.215, F.S.

¹² Section 1011.62(9)(d)1., F.S.

¹³ *Supra*, note 8.

¹⁴ Email, DOE (Mar. 11, 2021) (on file with the Senate Education Committee).

¹⁵ Section 1008.25(5)(c), F.S.

¹⁶ Section 1002.411, F.S.

¹⁷ Email, Office of Program Policy Analysis and Government Accountability, *School Choice Landscape*, at 34 (March 5, 2021) (on file with the Senate Education Committee).

¹⁸ Specific Appropriation 112, ch. 2020-111, s. 2, Laws of Fla.

¹⁹ Email, DOE (Mar. 11, 2021) (on file with the Senate Education Committee).

Book Distribution Programs

An Act to amend the national reading program in 1975²⁰ authorized the federal government to contract with a third-party entity to subcontract with local agencies to establish, operate, and provide an equal share of the cost of reading motivational programs which include the distribution of books to schoolchildren.²¹ The inexpensive book distribution program was last financed with \$25 million in 2010.²² The Every Student Succeeds Act of 2015²³ repealed the inexpensive book distribution program.²⁴

In 2020, the Tennessee Governor's Early Literacy Foundation (GELF) and the Tennessee Department of Education, in collaboration with Scholastic, the global children's publishing, education and media company, announced the launch of a new K-3 Book Delivery program to deliver 580,000 books to 58,000 kindergarten through third grade students and teachers across the state.²⁵ The GELF has operated a book distribution program in collaboration with Dolly Parton's Imagination Library to distribute books to children from birth to the age of five since 2004.²⁶ The Tennessee Legislature appropriated \$4,525,000 for the Governor's Books from Birth Fund for the 2019 fiscal year,²⁷ and the Books from Birth program mailed 3.4 million books.²⁸

III. Effect of Proposed Changes:

The bill creates s. 1003.485, F.S., to establish the New Worlds Reading Initiative to improve literacy skills and instill a love of reading by providing high-quality free books to students in kindergarten through grade 5 who are reading below grade level expectations.

Under the initiative, a high-quality, hardcopy book is delivered on a monthly basis to eligible students enrolled in a participating school district or a charter school that chooses to participate when its sponsor chooses not to participate. The bill defines a participating school district or charter school as a "participating entity." Parents of students who participate in the program are provided resources to help improve their student's reading skills and instill a love of reading.

State-Level Administrator

Implementation of the initiative is split between participating entities, in partnership with local nonprofit organizations, and a state administrator, who may either be the Department of

²⁰ Pub. L. No. 94-194, 89 Stat. 1103.

²¹ *Id.* at 89 Stat. 1105.

²² U.S. Office of Management and Budget, *Appendix, Budget of the United States Government, Fiscal Year 2012*, available at <https://www.govinfo.gov/content/pkg/BUDGET-2012-APP/pdf/BUDGET-2012-APP.pdf>, at 344.

²³ Pub. L. 114-95, 129 Stat. 1802.

²⁴ *Id.* at 129 Stat. 1967.

²⁵ Governor's Early Literacy Foundation, *Press Release* (Oct. 21, 2020), <https://governorsfoundation.org/governors-early-literacy-foundation-scholastic-and-tn-department-of-education-to-provide-580000-books-to-k-3-students-and-teachers-in-tennessee/> (last visited Mar. 11, 2020).

²⁶ Governor's Books from Birth Foundation, *2019 Year in Review*, available at <https://gelf.app.box.com/s/z7w8nj75b82ofkbs0pkq1f9sij1826ho> (last visited Mar. 11, 2021).

²⁷ 2019 Tenn. Pub. Ch. 405 page no. 3, available at <https://legiscan.com/TN/text/HB1508/2019> (last visited Mar. 11, 2021).

²⁸ Governor's Books from Birth Foundation, *2019 Year in Review*, available at <https://gelf.app.box.com/s/z7w8nj75b82ofkbs0pkq1f9sij1826ho>, at 9 (last visited Mar. 11, 2021).

Education (DOE) or a contracted, third-party entity. The bill requires the state-level administrator to:

- Develop a process for participating entities to apply to participate in the program. A participating entity is required to identify:
 - At least one partnership with a nonprofit organization to raise public awareness of the initiative, perform fundraising, and conduct or facilitate family literacy engagement activities.
 - Local funding sources to pay for 50 percent of the total costs associated with participation.
- Develop, in consultation with the Just Read, Florida! Office, a selection of high-quality books, encompassing diverse subjects and genres, appropriate for each grade level to be mailed to students enrolled in the initiative.
- Facilitate book distribution directly or through an agreement with a book distribution company.
- Develop and provide marketing materials to help school districts and their local partners raise funding and awareness of the initiative, including through the use of partnerships between public libraries and participating entities to implement family engagement events, such as family library nights, library card drives, summer access, and other activities.
- Maintain a clearinghouse for information on national, state, and local nonprofit organizations that support efforts to provide books to children.
- Develop training materials, including video training modules resources, to assist families as they engage in reading and improve literacy skills.
- Periodically distribute to participating families helpful tips and hyperlinks to video modules via text message and e-mail.

The bill requires that if the DOE contracts with a third-party entity to act as administrator, the entity must be capable of coordinating statewide marketing, dissemination of books, and development of video training modules, as well as completing all other duties of the administrator.

Annual Report

Beginning September 30, 2022, and annually thereafter, the administrator must submit a report to the Senate President, the Speaker of the House of Representatives, and the Commissioner of Education documenting the number of students enrolled in the initiative in each participating entity, the academic performance of enrolled students based on available data provided by participating entities, and the amount of funds raised by any local nonprofit organization identified by the participating entity in the application.

Student Participation

A student in kindergarten through grade 5 who is enrolled in a participating entity is eligible under the bill to receive books through the initiative if the student has a substantial reading deficiency or scored below a level 3 on the prior year's statewide, standardized English Language Arts (ELA) assessment. The bill requires the participating entity to notify the parents of eligible students that the student is eligible to receive books at no cost through the New

Worlds Reading Initiative and provide the parent the opportunity to enroll his or her child using an application form developed by the administrator.

After a student enrolls in the initiative, the bill requires the participating entity to coordinate with the administrator to initiate monthly book delivery during the school year, which must begin no later than October 31 and last through at least June 30. The bill authorizes book delivery to continue through the summer months using local funds. Students remain in the initiative until they are promoted to sixth grade or their parent opts out, whichever is earlier.

The bill requires that enrolled students have the opportunity, at the beginning of each school year, to identify preferred genres and topics in order to maximize their interest in reading.

Participating entities and partnering nonprofit organizations are required by the bill to raise awareness of the initiative, including information on eligibility and video training modules, through:

- The student handbook.
- The read-at-home plan provided to the parents of students identified with a substantial reading deficiency. The bill also amends s. 1008.25, F.S., to require that the parents of students with a substantial reading deficiency be provided information about the student's eligibility for the New Worlds Reading Initiative, and information on parent training modules and other reading engagement resources available through the initiative.
- Curriculum or parent nights or separate initiative awareness events at each elementary school.
- Events held jointly with the local public library. The bill specifies that library events should coincide with similar family engagement initiatives, such as library card drives.

The bill requires books to be delivered at no cost to families. Funding for the delivery of books must be shared equally by the administrator and the applicable local funding source identified by the participating entity in the application on a pro rata basis for each enrolled student. The bill permits the administrator to solicit donations and apply for grants for the purpose of implementing the initiative.

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:

The cost of the book distribution initiative created by this bill will require the appropriation of state funds to support the districts that choose to participate in the program. The Department of Education estimates that the total cost to provide books free of charge is \$48,512,740. This estimate is based on all districts choosing to participate, with 551,294 eligible students identified who would receive a free book mailed to them monthly for nine months of the school year, at an average cost of \$8 a book. Based on the provisions of the bill, the department would need an appropriation of at least \$24,256,369 to fulfill the state's 50 percent match obligation if all districts participated.²⁹ The participating entity identified in the application is required to pay the balance of the cost for their eligible students.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 1008.25 of the Florida Statutes.

This bill creates section 1003.485 of the Florida Statutes.

²⁹ DOE, *Senate Bill 1372 Legislative Bill Analysis* (Feb. 23, 2021) (on file with the Senate Appropriations Subcommittee on Education).

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.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

By Senator Burgess

20-01401B-21

20211372__

1 A bill to be entitled
 2 An act relating to literacy improvement; creating s.
 3 1003.485, F.S.; establishing the New Worlds Reading
 4 Initiative under the Department of Education;
 5 providing definitions; providing duties of the
 6 administrator; requiring the administrator to develop
 7 an application process; requiring the administrator,
 8 in consultation with a specified entity, to develop a
 9 selection of books; requiring the administrator to
 10 coordinate monthly book distribution to certain
 11 students; requiring the administrator to assist with
 12 local implementation of the initiative; requiring the
 13 administrator to maintain a clearinghouse of specified
 14 information; requiring the administrator to develop
 15 and disseminate certain training materials by
 16 specified means; establishing reporting requirements;
 17 providing that certain entities may participate in the
 18 initiative by completing an application; providing
 19 that participating school districts must allow public
 20 school students to enroll in the program; establishing
 21 student eligibility requirements; requiring
 22 participating entities to notify parents of eligible
 23 students; requiring participating entities to
 24 coordinate with the administrator to initiate book
 25 delivery; providing requirements for book delivery;
 26 allowing local funds to be used to purchase books
 27 during certain months; requiring that students be
 28 offered certain options relating to books; specifying
 29 when student enrollment ends; requiring participating

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30 entities and certain nonprofits to perform certain
 31 actions to raise awareness of the initiative;
 32 requiring that books be delivered at no cost to
 33 families; providing requirements for funding;
 34 authorizing the department to contract with a third-
 35 party entity; providing requirements for such third-
 36 party entity; amending s. 1008.25, F.S.; requiring
 37 that a certain notification include information about
 38 the initiative; providing an effective date.

40 Be It Enacted by the Legislature of the State of Florida:

41
 42 Section 1. Section 1003.485, Florida Statutes, is created
 43 to read:

44 1003.485 The New Worlds Reading Initiative.-

45 (1) The New Worlds Reading Initiative is established under
 46 the Department of Education to improve literacy skills and
 47 instill a love of reading by providing high-quality free books
 48 to students in kindergarten through grade 5 who are reading
 49 below grade level.

50 (2) DEFINITIONS.- As used in this section the term:

51 (a) "Administrator" means the Department of Education or a
 52 third-party entity contracted to administer the initiative.

53 (b) "Initiative" means the New Worlds Reading Initiative.

54 (c) "Participating entity" means a school district
 55 participating in the initiative or a charter school located in a
 56 nonparticipating school district which is participating in the
 57 initiative, as specified in subsection (4).

58 (3) The administrator shall:

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(a) Develop an application process for participating entities that identifies:

1. At least one partnership with a nonprofit organization to raise public awareness of the initiative, perform fundraising, and conduct or facilitate family literacy engagement activities.

2. Local funding sources to meet the requirements of subsection (7).

(b) Develop, in consultation with the Just Read, Florida! Office under s. 1001.215, a selection of high-quality books encompassing diverse subjects and genres for each grade level to be mailed to students enrolled in the initiative.

(c) Facilitate the distribution of books as provided in paragraph (5)(c) either directly or through an agreement with a book distribution company.

(d) Assist local implementation of the initiative by:

1. Providing assistance to local communities to raise awareness of the initiative, including through the use of partnerships between public libraries and participating entities to implement events such as family library nights, library card drives, summer access and activities, and other activities designed to increase family engagement and instill a love of reading in students.

2. Developing and providing marketing materials to participating entities and partnering nonprofit organizations to assist with public awareness campaigns.

(e) Maintain a clearinghouse for information on national, state, and local nonprofit organizations that support efforts to provide books to children.

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(f) Develop training materials for parents of students enrolled in the initiative, including brief video training modules, which engage families in reading and assist with improving student literacy skills. The administrator shall periodically send, via text message and e-mail, tips for facilitating reading at home and hyperlinks to the video training modules.

(g) Beginning September 30, 2022, and annually thereafter, report to the President of the Senate, the Speaker of the House of Representatives, and the Commissioner of Education the number of students enrolled in the initiative in each participating entity, the academic performance of enrolled students based on data provided by participating entities as permitted under s. 1002.22, and the amount of funds raised by any local nonprofit organization identified by the participating entity in the application.

(4) A school district or a charter school located in a nonparticipating school district may participate in the initiative by completing the application process under paragraph (3)(a). A participating school district must allow a student at any public school, including a charter school, in the district to enroll in the program.

(5)(a) A student in kindergarten through grade 5 who is enrolled in a participating entity is eligible to receive books through the initiative if the student has a substantial reading deficiency identified under s. 1008.25(5)(a) or scored below a level 3 on the preceding year's statewide, standardized English Language Arts assessment under s. 1008.22.

(b) The participating entity shall notify the parent of a

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student who meets the criteria under paragraph (a) that the student is eligible to receive books at no cost through the New Worlds Reading Initiative and provide the parent the opportunity to enroll his or her child using an application form developed by the administrator.

(c) Once an eligible student is enrolled in the initiative, the participating entity shall coordinate with the administrator to initiate book delivery on a monthly basis during the school year, which must begin no later than October 31 and continue through at least June 30. The participating entity may use local funds to continue the initiative through the summer months.

(d) At the beginning of each school year, students must be provided options for specific book topics or genres in order to maximize student interest in reading.

(e) A student's enrollment in the initiative continues until promotion to grade 6 or until the student's parent opts out of the initiative.

(6) Participating entities and partnering nonprofit organizations shall raise awareness of the initiative, including information on eligibility and video training modules under paragraph (3)(f), through, at least, the following:

(a) The student handbook and the read-at-home plan under s. 1008.25(5)(c).

(b) A parent or curriculum night or separate initiative awareness event at each elementary school.

(c) Partnering with the county library to host awareness events, which should coincide with other initiatives such as library card drives and other family engagement programming.

(7) Books must be provided under this section at no cost to

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families. The administrator shall pay 50 percent of the costs, with the remaining funds coming from the local funding source identified by the participating entity in the application. Funding will be on a pro rata basis for each enrolled student, taking into consideration total student enrollment in the initiative and available funding. The administrator may solicit donations and apply for grants to supplement funds for the purpose of implementing this section.

(8) If the department contracts with a third-party entity to act as administrator, the entity must be capable of coordinating statewide marketing, dissemination of books, and development of video training modules, as well as completing all other duties of the administrator.

Section 2. Paragraph (c) of subsection (5) of section 1008.25, Florida Statutes, is amended to read:

1008.25 Public school student progression; student support; reporting requirements.—

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(c) The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in reading, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading.

2. A description of the current services that are provided to the child.

3. A description of the proposed intensive interventions

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and supports that will be provided to the child that are designed to remediate the identified area of reading deficiency.

4. That if the child's reading deficiency is not remediated by the end of grade 3, the child must be retained unless he or she is exempt from mandatory retention for good cause.

5. Strategies, including multisensory strategies, through a read-at-home plan the parent can use in helping his or her child succeed in reading.

6. That the statewide, standardized English Language Arts assessment is not the sole determiner of promotion and that additional evaluations, portfolio reviews, and assessments are available to the child to assist parents and the school district in knowing when a child is reading at or above grade level and ready for grade promotion.

7. The district's specific criteria and policies for a portfolio as provided in subparagraph (6)(b)4. and the evidence required for a student to demonstrate mastery of Florida's academic standards for English Language Arts. A parent of a student in grade 3 who is identified anytime during the year as being at risk of retention may request that the school immediately begin collecting evidence for a portfolio.

8. The district's specific criteria and policies for midyear promotion. Midyear promotion means promotion of a retained student at any time during the year of retention once the student has demonstrated ability to read at grade level.

9. If applicable, information about the student's eligibility for the New Worlds Reading Initiative under s. 1003.485 and information on parent training modules and other reading engagement resources available through the initiative.

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204 Section 3. This act shall take effect July 1, 2021.

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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 Appropriations Subcommittee on Education

BILL: SB 1898

INTRODUCER: Senator Rodriguez

SUBJECT: Student Literacy

DATE: March 22, 2021

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Brick</u>	<u>Bouck</u>	<u>ED</u>	Favorable
2. <u>Underhill</u>	<u>Elwell</u>	<u>AED</u>	Recommend: Favorable
3. _____	_____	<u>AP</u>	_____

I. Summary:

SB 1898 includes requirements to identify student deficiencies in literacy and intervene as early as prekindergarten, support students in transitioning to kindergarten, and monitor student progress. The bill establishes a coordinated screening and progress monitoring system for students enrolled in the Voluntary Prekindergarten Education Program and students enrolled in public schools in kindergarten through grade 8. The bill also requires:

- The Department of Education (DOE) to review the competencies for the reading endorsement and provide a new pathway for teachers to achieve the reading endorsement.
- The DOE to develop a handbook to provide to parents of students with a reading deficiency to support parental engagement in student learning.
- The Just Read, Florida! Office (JRFO) to identify instructional materials that implement evidence-based reading practices and streamlines the process by which school districts may adopt identified and approved instructional materials.
- The JRFO to work with the Office of Early Learning in the development of the emergent literacy training courses and specifies that the courses must be consistent with evidence-based reading instructional and intervention programs.
- Establishes the Reading Achievement Initiative for Scholastic Excellence (RAISE) Program to provide literacy supports statewide through at least 20 regional literacy support teams.
- Establishes a tutoring program that affords high school juniors and seniors the opportunity to satisfy community service requirements and earn a designation as a New Worlds Scholar by providing 500 verified tutoring hours to students with a substantial deficiency in reading in kindergarten through grade 3.
- Voluntary Prekindergarten Program (VPK) instructors to take a required emergent literacy training course every five years.
- VPK providers to be rated based on student performance during the VPK school year.

The bill will have a significant negative fiscal to the state to implement the new coordinated screening and progress monitoring program and to contract with an external entity to implement the new Reading Achievement Initiative for Scholastic Excellence (RAISE) within the department. See Section V.

The bill takes effect July 1, 2021.

II. Present Situation:

The present situation for the relevant portions of the bill is discussed under the Effect of Proposed Changes of this bill analysis.

III. Effect of Proposed Changes:

Educator Certification Requirements

Florida law specifies certification requirements to assure that educational personnel in public schools possess appropriate skills in reading, writing, and mathematics; adequate pedagogical knowledge; and relevant subject matter competence so as to demonstrate an acceptable level of professional performance.¹

In order to seek educator certification, a person must meet general eligibility requirements, which include receipt of a bachelor's or higher degree from an approved postsecondary institution.² Individuals must also demonstrate mastery of general knowledge, if the person serves as a classroom teacher; mastery of subject area knowledge; and mastery of professional preparation.³

Education Preparation Programs

Present Situation

In Florida, teacher preparation programs are accountable for producing individuals with the competencies and skills necessary to achieve state education goals.⁴ State approved teacher preparation program uniform core curricula must include scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.⁵ Teacher preparation program completers are eligible for a Florida Professional Educator's Certification upon program completion.⁶

¹ Section 1012.54, F.S.

² Section 1012.56(2)(c), F.S., and Rule 6A-4.003, F.A.C.

³ Section 1012.56(2)(g)-(i), F.S.

⁴ Section 1004.04(1)(b), F.S.

⁵ Section 1004.04(2)(b)3., F.S.

⁶ Florida Department of Education (DOE), *Educator Preparation*, <http://www.fldoe.org/teaching/preparation/> (last visited Mar. 12, 2021), and Rule 6A-5.066(1)(p), F.A.C.

Each teacher preparation program must be approved by the Department of Education (DOE) based on criteria specified in law. In order to be admitted into an approved teacher preparation program, a student must, at a minimum:⁷

- Have a grade point average of at least 2.5 on a 4.0 scale for the general education component of undergraduate studies or have completed the requirements for a baccalaureate degree with a minimum grade point average of 2.5 on a 4.0 scale from an approved college or university.⁸
- Demonstrate mastery of general knowledge sufficient for entry into the program, including the ability to read, write, and perform in mathematics, by passing the General Knowledge Test of the Florida Teacher Certification Examination or, for a graduate level program, obtain a baccalaureate degree from an approved institution.⁹

Each teacher preparation program may waive these admissions requirements for up to ten percent of the students admitted. Programs must implement strategies to ensure that students admitted under a waiver receive assistance to demonstrate competencies to successfully meet requirements for certification, and must annually report to the DOE the status of each candidate admitted under such a waiver.¹⁰

Effect of Proposed Changes (Section 11)

The bill modifies s. 1004.04, F.S., to allow students in public postsecondary teacher preparation programs to meet grade point average and General Knowledge Test requirements as a condition to completing the program, instead of as a condition of admission to the program. Accordingly, the bill removes the authority for teacher preparation programs to waive admission requirements. These modifications may enable more people to enter teacher preparation programs and become certified teachers.

Teacher Professional Development

Present Situation

To renew a professional certificate, an applicant must earn a minimum of 6 college credits or 120 inservice points or a combination thereof. Florida provides subject area specialization requirements for college credits or inservice points.¹¹ An applicant for renewal of a professional certificate in any area of certification identified by SBE rule¹² which includes reading instruction or intervention for any students in kindergarten through grade 6 must earn a minimum of two college credits or forty inservice points in the use of explicit, systematic, and sequential approaches to reading instruction, developing phonemic awareness, and implementing

⁷ Section 1004.04(3), F.S.

⁸ An approved institution is one that is accredited by a specified regional accrediting association or an accrediting agency approved by the United States Department of Education. A qualifying non-accredited institution is one that is identified as having a quality program resulting in a bachelor's degree or higher by criteria specified in SBE rule. Rule 6A-4.003, F.A.C.

⁹ Rule 6A-4.003, F.A.C.

¹⁰ Section 1004.04(3), F.S.

¹¹ Section 1012.585(3), F.S.

¹² Rule 6A-4.0051, F.A.C., requires specialized training in reading instruction for certificate covering Elementary Education (K-6), Prekindergarten/Primary Education (age 3 through grade 3), Elementary Education (grades 1-6), Primary Education (grades K-3), English (grades 1-6), Middle Grades English (grades 5-9), Middle Grades Integrated Curriculum (grades 5-9), English (6-12), Reading (K-12), Reading (Endorsement), and English for Speakers of Other Languages (ESOL) (grades K-12).

multisensory intervention strategies. Such training must be provided by teacher preparation programs or school district professional development systems approved by the DOE.¹³

School District Professional Development

Each school district is required to establish a professional development system that provides training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs. The training must help teachers integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and sequential approach to reading instruction, including multisensory intervention strategies.¹⁴

Each district must provide all elementary grades instructional personnel access to training sufficient to meet the requirements for a certificate in an area of certification that includes reading instruction or intervention for students in kindergarten through grade 6.¹⁵

William Cecil Golden Professional Development Program for School Leaders

The William Cecil Golden Professional Development Program for School Leaders provides high standards and sustained support for principals as instructional leaders. The program consists of a collaborative network of state and national professional leadership organizations to respond to instructional leadership needs throughout the state. The goals of the network leadership program include:

- Providing resources to support and enhance the principal's role as the instructional leader.
- Maintaining a clearinghouse and disseminating data-supported information related to enhanced student achievement, based on educational research and best practices.
- Building the capacity to increase the quality of programs for preservice education for aspiring principals and inservice professional development for principals and principal leadership teams.
- Supporting best teaching and research-based instructional practices through dissemination and modeling at the preservice and inservice levels for both teachers and principals.¹⁶

Just Read, Florida! Office

The Just Read, Florida! Office (JRFO) within the DOE is generally directed to perform duties that relate to improving student literacy, and, accordingly, developing training for educational personnel to support student literacy.¹⁷

¹³ Section 1012.585(3)(f), F.S.; Rule 6A-4.0051(7)(a), F.A.C.

¹⁴ Section 1012.98(4)(b)11., F.S.

¹⁵ *Id.*

¹⁶ Section 1012.986(1), F.S.

¹⁷ Section 1001.215, F.S.

The JRFO, in collaboration with the Lastinger Center for Learning at the University of Florida (Lastinger Center), is required to develop training for K-12 teachers, reading coaches, and school principals on effective content-area-specific reading strategies; the integration of content-rich curriculum from other core subject areas into reading instruction; and evidence-based reading strategies to improve student reading performance. For secondary teachers, emphasis must be on technical text. These strategies must be developed for all content areas in the K-12 curriculum.¹⁸

Effect of Proposed Changes (Sections 1, 17, 19, and 20)

The bill modifies s. 1012.98, F.S., to require the DOE to identify professional development opportunities that require a teacher to demonstrate proficiency in a specific classroom practice, with priority given to implementing evidence-based reading instructional and intervention strategies identified by the JRFO. The bill amends s. 1012.585, F.S., to provide that a teacher may earn inservice points only once during each 5-year validity period for any mandatory training topic that is not linked to student learning or professional growth.

The bill modifies s. 1012.986, F.S., to add to the goals of the William Cecil Golden Professional Development Program the support, through training on observation and evaluation practices aligned to the science of reading, the professional growth of instructional personnel who provide reading instruction and interventions.

The bill modifies s. 1001.215, F.S., to require the JRFO to provide evidence-based reading instruction training to school administrators. To fulfill this requirement, the JRFO must work with the Lastinger Center to modify the training that has been developed for K-12 teachers, reading coaches, and school principals. The bill also replaces the requirement to integrate social studies into the reading instruction curriculum with the requirement to integrate civic literacy into the reading instruction curriculum.

The additional opportunities for training in reading instruction for teachers may support teachers delivering reading instruction or interventions to students enrolled in public schools in kindergarten through grade 12.

Reading Certification and Endorsement

Present Situation

Teachers are able to earn a subject area certification or endorsement in reading. A teacher is required to be certified or endorsed in reading to:

- Teach summer reading camps.
- Provide instruction to a third grade student retained for failing the English Language Arts (ELA) assessment.
- Provide reading interventions to students with a substantial deficiency in reading, beginning July 1, 2021.
- Qualify as a literacy coach.¹⁹

¹⁸ Section 1001.215(3), F.S.

¹⁹ Rule 6A-6.053, F.A.C.

A teacher may earn a certification in reading by completing:

- A master's or higher degree with a graduate major in reading.
- A bachelor's or higher degree with thirty semester hours in reading.²⁰

A certified teacher may earn an endorsement to a valid Florida certificate by completing the appropriate subject area testing requirements, the requirements of an approved school district program, or the inservice components for an endorsement.²¹ There are four pathways to earn a reading endorsement:

- Completing 15 semester hours in college-level reading coursework rooted in scientifically based reading research with a focus on both preventions and remediation of reading difficulties.
- Completing the required competencies through a school district's approved reading endorsement add-on program.
- Obtaining a certificate from an approved internationally known organization with a reputation for setting reading standards.²²
- Passing the K-12 Reading Certification Subject Area Exam administered by the DOE.²³

Effect of Proposed Changes (Sections 11 and 18)

The bill modifies s. 1004.04, F.S., to require, beginning with the 2022-2023 school year, that school district personnel be certified or endorsed in reading if they supervise teacher preparation students during internships in kindergarten through grade 3 or during enrollment in a reading certificate program.

The bill also modifies s. 1012.586, F.S., to require the DOE to review the competencies for the reading endorsement for alignment with evidence-based instructional and intervention practices rooted in the science of reading and consistent with training developed by the Lastinger Center and the JRFO, and recommend improvements to the SBE, which must address identification of the characteristics of conditions such as dyslexia, implementation of evidence-based classroom instruction and interventions, and effective progress monitoring. Accordingly, each school district is required to resubmit its reading endorsement add-on program to the DOE for approval by July 1, 2023. The bill provides that, beginning July 1, 2024, instructional personnel may not earn a reading endorsement simply by passing the K-12 reading certification subject area assessment.

The bill requires the DOE to adopt at least one statewide, competency-based pathway, by which instructional personnel may earn a reading endorsement, by the beginning of the 2022-2023 school year. The pathway must be available for a participant to complete in person or remotely. The DOE is required by the bill to place a microcredential on a teacher certificate indicating each competency module the teacher successfully completes.

²⁰ Rule 6A-4.0291, F.A.C.

²¹ Section 1012.586(1), F.S.

²² Section 1012.586(1)(b), F.S. Reading Recovery Teacher of the National Louis University Reading Recovery Center is the only approved program. DOE, *Florida Internationally Recognized Organizations*, available at <http://www.fldoe.org/core/fileparse.php/7539/urlt/FAIRO.pdf> (last visited Mar. 12, 2021).

²³ Rule 6A-4.0292, F.A.C.

The additional pathway for teachers to earn a reading endorsement may assist district school boards in meeting state requirements for teachers delivering reading instruction or interventions to students enrolled in public schools in kindergarten through grade 12.

Student Literacy Supports

Present Situation

Student Progress Monitoring

State board rule provides criteria for determining whether a student has a substantial deficiency in reading. A student is identified as having a substantial deficiency in reading if the student:

- Scores the lowest level or benchmark on any assessment identified in the school district's reading plan;
- Scores the lowest achievement level during a progress monitoring assessment identified in the school district's K-12 comprehensive reading plan (reading plan); or
- Demonstrates, through consecutive formative assessments or teacher observation, skills that are below grade-level expectations in one or more areas of phonological awareness; phonics; vocabulary, including oral language skills; reading fluency; and reading comprehension.²⁴

Students in kindergarten through grade 3 who are determined to have a substantial deficiency in reading based on any of these criteria must be given intensive reading interventions immediately following the identification of the deficiency.²⁵ Students who do not achieve a Level 3 or above on the statewide, standardized ELA assessment must be evaluated to determine the nature of the student's difficulty, the areas of academic need, and strategies for providing academic supports to improve the student's performance.²⁶ District school boards are required to prioritize remedial and supplemental instructional resources first to students in kindergarten through grade 3 who have a substantial reading deficiency and then to students who fail to meet performance levels required for promotion under the district's student progression plan.²⁷

School districts have a variety of intervention and progress monitoring options available to help students improve their academic performance. The law requires districts to develop and implement a multi-tiered system of supports, which utilizes a problem-solving process to identify and support student needs based upon available data, including attendance, behavior and discipline, statewide assessment, and progress monitoring data.²⁸ Retention is mandatory for 3rd grade students who score at Level 1 on the statewide, standardized ELA assessment.²⁹ Any student retained in 3rd grade because of his or her statewide, standardized ELA assessment score must receive intensive interventions and be taught by a "highly-effective" teacher with a reading endorsement or certification.³⁰ This intervention process must include parent involvement,

²⁴ Rule 6A-6.053(12), F.A.C..

²⁵ Section 1008.25(5)(a), F.S.

²⁶ Section 1008.25(4)(a), F.S.

²⁷ Section 1008.25(3), F.S.

²⁸ See Rules 6A-6.0331(1) and 6A-1.099811(2)(r), F.A.C.

²⁹ Section 1008.25(5)(b), F.S. A student may be promoted if he or she meets a "good cause" exception as provided in s. 1008.25(6)(b), F.S.

³⁰ See ss. 1008.25(5)(b) and (7) and 1012.34(2)(e), F.S.

student observation, review of data, vision and hearing screening to rule out sensory deficits, and evidence-based interventions implemented in the general education environment.³¹

Research-Based Reading Instruction Allocation

The state allocates funding to school districts for research-based reading instruction to students in kindergarten through grade 12. Funds must be used to provide a system of comprehensive reading instruction to students enrolled in kindergarten through grade 12, including:³²

- An additional hour of intensive reading instruction beyond the normal school day for students in the 300 lowest-performing elementary schools.
- Reading intervention teachers and reading coaches.
- Professional development for teachers to earn a certification or an endorsement in reading.
- Summer reading camps for students in kindergarten through grade 5 who exhibit certain reading deficiencies, depending on grade level.³³
- Supplemental instructional materials that are grounded in scientifically based reading research as identified by the JRFO.
- Intensive interventions for students in kindergarten through grade 12 who have been identified as having a reading deficiency or who are reading below grade level as determined by the statewide, standardized ELA assessment.

District school boards must develop reading plans that detail the specific uses of the research-based reading instruction allocation. The plans must be annually submitted to the DOE for approval and provide for intensive reading interventions through integrated curricula that incorporate strategies identified by the JRFO and are delivered by a teacher who is certified or endorsed in reading. The DOE monitors and tracks the implementation of each district plan and collects specific data on expenditures and reading improvement results. By February 1 of each year, the DOE reports its findings to the Legislature.³⁴

Parental Notification and Supports

The parent of any student who exhibits a substantial deficiency in reading must be notified in writing of the deficiency and of all available services and proposed interventions, and be provided with a “read at home plan,” which outlines strategies that parents can use to help their children improve in reading.³⁵

Students enrolled in public school in grades 3 through 5 and score below grade level on the statewide, standardized ELA assessment in the prior school year may also be eligible for a reading scholarship account of \$500. A total of 6,763 students received reading scholarship

³¹ Rule 6A-6.0331(1), F.A.C.

³² Section 1011.62(9), F.S. The state appropriated \$130 million to school districts for the research-based reading instruction allocation for the 2020-2021 fiscal year. Specific Appropriations 8 and 92, ch. 2020-111, s. 2, Laws of Fla.

³³ All students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and students in grades 3 through 5 who score at Level 1 on the statewide, standardized English Language Arts assessment. Section 1011.62(9)(c)5., F.S.

³⁴ Section 1011.62(9)(d)1., F.S.

³⁵ Section 1008.25(5)(c), F.S.

accounts in the 2019-2020 school year. The state appropriated \$7.6 million for reading scholarship accounts for the 2020-2021 school year.

In the 2020-2021 school year, 112,295 students enrolled in public schools in kindergarten through grade 5 were identified as having substantial deficiencies in reading and receiving Tier III supports.³⁶

Federally funded Department of Education Literacy Initiatives

As part of its plan for federal funding provided under the CARES Act,³⁷ the DOE has launched a statewide system of regional reading supports.³⁸ The program allocates \$5 million from the CARES Act funds for the establishment of 20 regions in the state, each with a designated regional reading consultant that will lead a regional literacy support team. The reading consultants and their teams will be trained to monitor district-level, school-level and classroom-level data in order to identify and provide needed professional development and interventions.³⁹ The first year of the program will support implementation of reading plans in the early grades while overall the program focus will be on building capacity of the teams with an emphasis on updated standards, evidence-based⁴⁰ practices, and data-based decision making.⁴¹ Implementation has been set to begin in 2021, during the second half of the 2020-2021 school year.

The DOE allocated \$20 million from the CARES Act funds for progress monitoring and data informed supports.⁴² From October 1, 2020, through February 19, 2021, the DOE made available to all public schools on a voluntary basis a new progress monitoring tool developed by Cambium Assessment, Inc., to serve as a connective support between the foundational skills that students seek to acquire and their progress through early education years and drive informed teaching practices and curriculum decisions. The progress monitoring tool was available for multiple administrations and was aligned to the state standards for grades 3 through 10 ELA Reading and grades 3 through 8 Mathematics.⁴³

³⁶ Email, DOE (Mar. 11, 2021) (on file with the Senate Committee on Education).

³⁷ Pub. L. No. 116-136, 134 Stat. 281 (Mar. 27, 2020).

³⁸ DOE, *Reopening Florida's Schools and the CARES Act*, available at <http://www.fldoe.org/core/fileparse.php/19861/urlt/FLDOEReopeningCARESAct.pdf> (last visited Mar. 12, 2021).

³⁹ *Id.* at 105. Each regional literacy director retains employment with the district with a salary of \$80,000 plus benefits funded by the DOE.

⁴⁰ Federal law defines the term “evidence-based” as an activity, strategy, or intervention that demonstrates a statistically significant effect on improving student outcomes or other relevant outcomes based on: strong evidence from at least 1 well-designed and well-implemented experimental study; moderate evidence from at least 1 well-designed and well-implemented quasi-experimental study; or promising evidence from at least 1 well-designed and well-implemented correlational study with statistical controls for selection bias; or demonstrates a rationale based on high-quality research findings or positive evaluation that such activity, strategy, or intervention is likely to improve student outcomes or other relevant outcomes, and includes ongoing efforts to examine the effects of such activity, strategy, or intervention. 20 U.S.C. s. 7801(21)(a)(i).

⁴¹ DOE, *Act with Urgency for Literacy*, available at <https://www.fldoe.org/core/fileparse.php/7506/urlt/Act-with-Urgency-for-Literacy.pdf> at 11, (last visited Mar. 13, 2021).

⁴² DOE, *Reopening Florida's Schools and the CARES Act*, available at <http://www.fldoe.org/core/fileparse.php/19861/urlt/FLDOEReopeningCARESAct.pdf> at 102, (last visited Mar. 13, 2021).

⁴³ DOE, *Free Optional Progress Monitoring Tool Available to Public Schools* (Sept. 2, 2020), available at <http://www.fldoe.org/core/fileparse.php/19861/urlt/CambiumProgressMonitoring2020-21.pdf> (last visited Mar. 13, 2021).

The DOE also used funds from the CARES Act to develop several other programs related to improving student literacy. Specifically, the DOE allocated:

- \$5 million to upskill highly effective reading coaches.
- \$20 million, in addition to \$4 million of the funds reserved under the CARES Act to the Governor, for strengthening K-3 reading instructional materials.
- \$5 million for deploying professional development for teachers to attain a reading endorsement; training on how to use progress monitoring data to inform instruction; improving existing reading endorsement options; and improved resources for teachers and families.⁴⁴

In addition, the DOE secured a Comprehensive Literacy State Development Grant (CLSD) of \$21 million.⁴⁵ A CLSD is a discretionary federal grant to create a comprehensive literacy program to advance literacy skills, including pre-literacy skills, reading, and writing, for children from birth through grade 12, with an emphasis on disadvantaged children, including children living in poverty, English learners, and children with disabilities.⁴⁶

Effect of Proposed Changes (Sections 2, 12, 14, 15)

Coordinated Screening and Progress Monitoring

The bill modifies s. 1008.25, F.S., to require the DOE, in collaboration with the OEL, to procure and require, and provide training and support for implementing, a statewide, standardized coordinated screening and progress monitoring (CSPM) for VPK program providers and for public schools serving kindergarten through grade 8 students, whom the bill requires to participate in the CSPM. The bill outlines requirements for the CSPM. Specifically, the CSPM must:

- Measure student progress in early literacy, ELA, and mathematics standards.
- Measure student performance in oral language, development, phonemic and phonological awareness, knowledge of print and letters, decoding, fluency, vocabulary, and comprehension.
- Be a valid, reliable and developmentally appropriate computer-adaptive direct instrument that provides screening and diagnostic capabilities for monitoring student progress; identifies students with a substantial deficiency in reading, including students with characteristics of dyslexia; and informs instruction.
- Provide data sufficient for VPK program accountability.
- Provide data and resources to enhance differentiated instruction.
- Provide information to the DOE to aid in the development of educational programs, policies, and supports for providers, districts, and schools.
- Beginning with the 2022-2023 school year, be administered at least three times within a program year or school year, as applicable, with the first administration occurring no later than the first 30 instructional days after the start of the program year or school year.

⁴⁴ DOE, *Act with Urgency for Literacy*, available at <https://www.fldoe.org/core/fileparse.php/7506/urlt/Act-with-Urgency-for-Literacy.pdf> at 15, (last visited Mar. 13, 2021).

⁴⁵ DOE, *Reopening Florida's Schools and the CARES Act*, available at <http://www.fldoe.org/core/fileparse.php/19861/urlt/FLDOEReopeningCARESAct.pdf> at 15, (last visited Mar. 13, 2021).

⁴⁶ 20 U.S.C. s. 6642.

Results of the CSPM, including the number of students who demonstrate characteristics of dyslexia, must:

- Be reported to the DOE and maintained in the DOE's Educational Data Warehouse.
- Be timely provided to a student's teachers and parents.
- Inform parents annually of their child's educational progress based on the CSPM.

Evidence-based Reading Instruction Allocation

The bill modifies s. 1011.62, F.S., to rename the "research-based reading instruction allocation" as the "evidence-based reading instruction allocation" to conform the reading instruction allocation with the other evidence-based initiatives. The bill aligns the definition of evidence-based with federal law, to provide that evidence-based means demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes.

The bill also modifies the requirements and the authorized uses by school districts of the allocation. Specifically, the bill:

- Provides that funds may be used for supports to assist students identified with a substantial deficiency in early literacy transition from the Voluntary Prekindergarten Education Program (VPK) to kindergarten.
- Replaces the requirement to integrate social studies with the requirement for the coordinated integration of civic literacy in the curriculum for the extra hour of reading instruction for the 300 lowest performing elementary schools.
- Provides that a school district's reading plan will no longer be deemed approved if it is not approved by June 1 or if 100 percent of the funds are spent.
- Makes mandatory the withholding of funds by the DOE upon a determination that reading instruction allocation funds are not being used to implement the approved plan.
- Requires school district reading plans to include a root-cause analysis of student performance data and reflection tool developed by the DOE to evaluate the effectiveness of interventions implemented in the prior year.

The bill requires the annual report of the DOE to the Legislature on the evidence-based reading instruction allocation to also be submitted to the SBE and include recommendations for improving implementation of evidence-based reading and intervention strategies in classrooms.

Reading Achievement Initiative for Scholastic Excellence Program

The bill creates s. 1008.365, F.S., to establish within the DOE the Reading Achievement Initiative for Scholastic Excellence Program (RAISE Program) to provide instructional supports to school districts and their staff in implementing evidence-based reading instruction and interventions in order to improve student reading achievement. Under the RAISE Program, and similar to current federally funded initiatives of the DOE, the DOE must establish at least 20 literacy support regions and regional support teams, each at the direction of a regional literacy support director appointed by the commissioner, to assist school districts in improving low reading scores. Each regional literacy support director must be an employee of a school district and manage a regional support team. Directors and teams are required by the bill to consist of personnel who have completed the competency-based reading endorsement pathway and meet other specified requirements related to reading instruction and progress monitoring.

The bill requires the DOE to provide progress monitoring data to the regional literacy support teams to assist with providing designated schools with supports, which must include all of the following:

- Professional development aligned with evidence based strategies for reading instruction.
- Evaluating a school's improvement plan for alignment with the school district's reading plan.
- Assistance with implementing:
 - Data-informed instructional decision making.
 - The selection and consistent, coordinated use of high-quality instructional materials.
 - Reading instruction in other core subject area curricula, with an emphasis on civic literacy.
 - A multitiered system of supports in order to provide students effective interventions and identify students who may require an evaluation for special educational services, including identifying characteristics of conditions that affect phonological processing, such as dyslexia.

The bill authorizes the DOE to establish criteria to identify a school that must receive supports from a regional support team. The bill also modifies s. 1001.42, F.S., to require each school district to include in its school improvement plan schools identified for supports under the RAISE Program, but specifies that regardless of a school's grade, a school must receive supports if at least 50 percent of the school's students who take the statewide, standardized ELA assessment score below a Level 3 for any grade level, or, for students in kindergarten through grade 3, if results from the CSPM demonstrate that at least 50 percent of the students are not on track to pass the statewide, standardized grade 3 ELA assessment. If the regional support team determines that the school district's reading plan does not address the school's need to improve student outcomes, the regional literacy support director, the district school superintendent, or his or her designee, and the director of the JRFO are required by the bill to convene a meeting to rectify the deficiencies of the reading plan.

A school identified for supports is not required by the bill to implement a turnaround option or take other corrective action under the state's school improvement program. The bill authorizes a school to stop receiving supports and implementing a school improvement plan when the school's data reflects that it no longer meets the requirements to receive supports and implement a school improvement plan. The school may nevertheless continue to receive supports based on the availability of resources.

RAISE Program Tutors

The RAISE Program also requires the DOE to establish a tutoring program and develop training in effective reading tutoring practices and content, based on evidence-based practices, and aligned to the state ELA standards, to prepare eligible high school students to tutor students with a substantial deficiency in reading in kindergarten through grade 3. The bill requires the SBE to adopt rules to administer the program.

The bill requires school districts that wish to participate to recruit, train, and deploy eligible high school students. Tutoring must occur during the school day on school district property in the presence and under the supervision of instructional personnel who are school district employees.

Under the bill, a student must obtain written permission from his or her parent before receiving tutoring services.

The bill prescribes eligibility requirements for tutors. Specifically, a tutor must:

- Be a rising junior or senior.
- Have a cumulative grade point average of 3.0 or higher.
- Have no history of out-of-school suspensions or expulsions.
- Be on track to complete all course requirements for graduation.
- Have written recommendations from at least two of his or her present or former high school teachers of record or extracurricular activity sponsors.

The bill authorizes a district school board to adopt a service-learning⁴⁷ course that includes a tutoring program and authorizes students to:

- Earn up to 3 elective credits for high school graduation based on the verified number of hours the student spends tutoring.
- Count hours devoted to tutoring toward meeting community service requirements for high school graduation⁴⁸ and participation in the Florida Bright Futures Scholarship Program.⁴⁹
- Earn a New Worlds Scholar award from the DOE by providing at least 500 verified hours of tutoring.

The option for a high school student to tutor a K-3 student may support both students in their academic development.

Parental Notification and Supports

The bill requires a school to apprise in writing, at least monthly, the parent of a student who has a substantial deficiency in reading of the student's progress in response to intensive reading interventions and supports. The written appraisal must inform the parent of any additional interventions or supports to be provided to the student if the initial supports do not lead to improvement.

To further encourage parental participation in a student's reading progress, the bill requires the DOE to develop a handbook that schools must provide to the parent of a student who is identified as having a substantial reading deficiency. The handbook must be made available in an electronic format that is accessible online and must include:

⁴⁷ The hours that high school students devote to course-based service-learning activities may be counted toward meeting community service requirements for high school graduation and community service requirements for participation in the Florida Bright Futures Scholarship Program. School districts are encouraged to include service learning as part of any course or activity required for high school graduation and to include and accept service-learning activities and hours in requirements for academic awards, especially those awards that currently include community service as a criterion or selection factor. Section 1003.497(3)(b), F.S.

⁴⁸ A student is not specifically required to complete a minimum number of community service hours to earn a standard high school diploma, but school districts are encouraged to include service learning as part of a course or activity required for high school graduation. See ss. 1003.4282 and 1003.497(3)(b), F.S.

⁴⁹ Scholarship awards for students under the Florida Bright Futures Scholarship Program have varying minimum service hour requirements, based on the amount of the award. For eligibility requirements, see DOE, Office of Student Financial Assistance, 2020-2021 *Bright Futures Student Handbook, Chapter 1: Initial Eligibility Requirements*, available at <https://www.floridastudentfinancialaidsg.org/PDF/BFHandbookChapter1.pdf> (last visited Mar. 13, 2021).

- An overview of the types and frequency of assessments used to identify reading deficiencies and the requirements for interventions and supports that districts must provide to students who do not make adequate academic progress.
- An overview of the process for initiating and conducting evaluations for exceptional education eligibility. The overview must include an explanation that a diagnosis of a medical condition alone is not sufficient to establish exceptional education eligibility but may be used to document how that condition relates to the student's eligibility determination and may be disclosed in an eligible student's individual education plan when necessary to inform school personnel responsible for implementing the plan.
- Characteristics of conditions associated with learning disorders, including dyslexia, dysgraphia, dyscalculia, and developmental aphasia.
- A list of resources that support informed parent involvement in decision making processes for students who have difficulty in learning.

The handbook may support parental awareness and involvement in the progress of a student's education.

Instructional Material Review Process

Present Situation

The DOE is authorized to allocate and distribute to each district an amount as prescribed annually by the Legislature for instructional materials for students in grades K-12.⁵⁰ Each district school superintendent is required to certify to the commissioner that the district school board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs, including verification that training was provided; that the materials are being implemented as designed; and, beginning July 1, 2021, for core reading materials and reading intervention materials used in kindergarten through grade 5, that the materials have been identified by JRFO in collaboration with the Florida Center for Reading Research as scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies.⁵¹

The term of adoption of any instructional materials must be a five-year period beginning on April 1 following the adoption, except that the commissioner may approve terms of adoption of less than five years for materials in content areas which require more frequent revision.⁵²

Prior to the purchase of any instructional material, whether from the state-adopted list or through a district-established instructional materials review process, the district school board must:

- Establish a process to allow student editions of recommended instructional materials to be accessed and viewed online by the public at least 20 calendar days before the required school board hearing and public meeting. This process must include reasonable safeguards against

⁵⁰ Section 1011.67(1), F.S. The state appropriated \$236.6 million to school districts for instructional materials for the 2020-2021 fiscal year. Specific Appropriations 8 and 92, ch. 2020-111, s. 2, Laws of Fla.

⁵¹ Sections 1011.67(2) and 1001.215(8), F.S.

⁵² Section 1006.36(1), F.S.

the unauthorized use, reproduction, and distribution of instructional materials considered for adoption.

- Conduct an open, noticed school board hearing to receive public comment on the recommended instructional materials.
- Conduct an open, noticed public meeting to approve an annual instructional materials plan to identify any instructional materials that will be purchased. This public meeting must be held on a different date than the school board hearing.
- Provide notice for the school board hearing and the public meeting that specifically states the instructional materials being reviewed and how the instructional materials can be accessed for public review.⁵³

Effect of Proposed Changes

The bill modifies s. 1001.215, F.S., to require the JRFO, as part of the adoption cycle for ELA instructional materials, to:

- Assist in evaluating elementary grades instructional materials submitted for adoption consideration.
- Identify those materials that are closely aligned to the content and evidence-based strategies for reading instructional and intervention programs that have been identified in collaboration with the Florida Center for Reading Research.
- Incorporate professional development to implement such strategies.

The bill modifies s. 1011.67, F.S., to authorize instructional materials identified by JRFO to be purchased by a school district without undergoing the comprehensive process for adopting instructional materials at the local level.

The Voluntary Prekindergarten Education Program

Present Situation

The Florida Constitution requires the State to provide every four-year old child a high quality pre-kindergarten learning opportunity in the form of an early childhood development and education program which must be voluntary, high quality, free, and delivered according to professionally accepted standards.⁵⁴ In 2004, the State established a free VPK program offered to eligible four-year-old children.⁵⁵ Parents may choose either a school-year or summer program offered by either a public or private school.⁵⁶

VPK Administration

Early Learning Coalitions (ELCs) and district school boards administer the VPK program at the county or regional level. Each ELC is the single point of entry for VPK program registration and

⁵³ Sections 1006.40(4)(b) and 1006.283(2)(b)8., 9., and 11., F.S.

⁵⁴ Art. IX, s. 1(b), Fla. Const. An early childhood development and education program means an organized program designed to address and enhance each child's ability to make age appropriate progress in an appropriate range of settings in the development of language and cognitive capabilities and emotional, social, regulatory and moral capacities through education in basic skills and such other skills as the Legislature may determine to be appropriate.

⁵⁵ Chapter 2004-484, s. 1, Laws of Fla.; part V, ch. 1002, F.S.; *see also* Art. IX, s. 1(b)-(c), Fla. Const.

⁵⁶ Section 1002.53(3), F.S.

enrollment in the coalition's county or multi-county service area.⁵⁷ A local ELC must coordinate with the local school district in the ELC's service area to develop procedures for enrolling children in public school VPK programs.⁵⁸

The Office of Early Learning (OEL) adopts procedures governing the administration of the VPK program for ELCs and school districts, including procedures for:

- Child enrollment.
- Attendance reporting.
- Eligibility of VPK program providers.
- Regulating the compliance of VPK program providers.
- Reimbursing VPK program providers for the costs of the VPK program.⁵⁹

VPK Instructor Requirements

A VPK provider offering a school-year VPK program must have, for each class, at least one instructor with the following credentials:

- A Child Development Associate (CDA) issued by the National Credentialing Program of the Council for Professional Recognition.
- A credential approved by the Department of Children and Families as being equivalent to or greater than the CDA.
- Five clock hours of training in emergent literacy and successful completion of a student performance standards training course.⁶⁰

In lieu of the minimum credentials listed above, a private VPK program instructor may hold:

- An associate's or higher degree in child development;
- An associate's or higher degree in an unrelated field, at least six credit hours in early childhood education or child development, and at least 480 hours of teaching or providing child care services for children any age from birth through eight years of age;
- A bachelor's or higher degree in early childhood education, prekindergarten or primary education, preschool education, or family and consumer science;
- A bachelor's or higher degree in elementary education, if the instructor has been certified to teach children any age from birth through grade 6, regardless of whether the educator certificate is current; or
- An educational credential approved by the OEL as being equivalent to or greater than any of these educational credentials.⁶¹

⁵⁷ Section 1002.53(4), F.S. There are currently 30 ELCs. Florida's Office of Early Learning, *Early Learning Coalitions*, <http://www.floridaearlylearning.com/family-resources/find-quality-child-care/locate-your-early-learning-coalition> (last visited Mar. 13, 2021).

⁵⁸ Section 1002.53(4), F.S.

⁵⁹ Section 1002.75(2), F.S.

⁶⁰ Sections 1002.55(3)(c)1.a. and 2., 1002.59, and 1002.63(4), F.S. An active Birth Through Five Child Care Credential awarded as a Florida Child Care Professional Credential, Florida Department of Education Child Care Apprenticeship Certificate, or Early Childhood Professional Certificate satisfies the staff credential requirement. Florida Department of Children and Families, *Child Care Facility Handbook* (2019), incorporated by reference in Rule 65C-22.001(7), F.A.C.

⁶¹ Section 1002.55(4), F.S.

VPK Instructor Training

The OEL sets minimum standards for emergent literacy training courses for VPK instructors. Each course must be at least five clock hours long and provide strategies and techniques regarding the age-appropriate progress of prekindergarten students in developing emergent literacy skills, including:

- Oral communication;
- Knowledge of print and letters;
- Phonemic and phonological awareness; and
- Vocabulary and comprehension.⁶²

Each emergent literacy training course must also provide strategies for helping students with disabilities and other special needs maximize their benefit from the VPK program.⁶³ In addition, the OEL must adopt minimum standards for training courses on the VPK performance standards for students. Each course on performance standards must be at least three clock hours, provide instruction in strategies and techniques to address age-appropriate progress of each child in attaining the standards, and be available online.⁶⁴

OEL outlines a 5-Tier career pathway with certifications that require different levels of foundational training up to a bachelor's degree or higher.⁶⁵

Early Learning Florida, developed in partnership between the OEL and the Lastinger Center, is a statewide professional learning system designed to support the development of early childhood professionals' knowledge and skills in effectively educating and caring for young children.⁶⁶ Since 2015, Early Learning Florida has delivered over 400,000 hours of online and blended training to more than 30,000 early childhood practitioners in Florida, at no cost to educators. All Early Learning Florida courses and trainings provide teachers with Continuing Education Units that articulate to national and state credentials.⁶⁷

The OEL has also developed early learning professional development and career pathways.⁶⁸ Professional development and teacher resources are available online, including courses developed by the OEL in collaboration with the Lastinger Center, to provide opportunities to earn educator credentials.⁶⁹

⁶² Section 1002.59(1), F.S.

⁶³ *Id.*

⁶⁴ Section 1002.59(2), F.S.

⁶⁵ Office of Early Learning, *Florida Early Care and Education Career Pathway*, available at http://www.floridaeearlylearning.com/Content/Uploads/floridaeearlylearning.com/files/Career%20Pathway%20Revised_ADA.pdf.

⁶⁶ Early Learning Florida, *Who We Are*, <https://www.earlylearningflorida.com/about> (last visited Mar. 13, 2021).

⁶⁷ The Lastinger Center at the University of Florida, *Early Learning Florida*, <https://lastinger.center.ufl.edu/early-learning/early-learning-florida/> (last visited Mar. 13, 2021).

⁶⁸ Section 1002.995, F.S., and Rule 6A-4.735, F.A.C.

⁶⁹ See Florida Office of Early Learning, *Professional Development*, <http://www.floridaeearlylearning.com/providers/professional-development/professional-development-training-resources> (last visited Mar. 13, 2021). See also Early Learning Florida, *Courses*, <https://www.earlylearningflorida.com/catalog> (last visited Mar. 13, 2021).

VPK Accountability

The DOE developed a statewide kindergarten readiness screening⁷⁰ and requires each school district to administer the statewide kindergarten readiness screening within the first 30 days of each school year.⁷¹ The screening must measure a child's readiness for kindergarten in the following eight domains: physical development; approaches to learning; social and emotional development; language and literacy; mathematical thinking; scientific inquiry; social studies; and creative expression through the arts.⁷²

The OEL annually calculates a kindergarten readiness rate for each VPK provider based on results of the annual screening.⁷³ The readiness rates are expressed as the percentage of children whose scores demonstrate readiness for kindergarten.⁷⁴ The methodology for calculating the readiness rate must include student learning gains, when available, based on a VPK preassessment and postassessment, known as the "Florida VPK Assessment."⁷⁵ The OEL must determine learning gains using a value-added measure based on growth demonstrated by the results of the Florida VPK Assessment from at least two successive years of administration.⁷⁶

At least 60 percent of a VPK provider's students must meet the "ready for kindergarten" score on the screening in order for the provider to avoid probationary status.⁷⁷ Providers that do not meet the minimum readiness rate are placed on probation. An ELC or school district must require a VPK provider that falls below the minimum kindergarten readiness rate to:

- Submit for approval and implement an improvement plan;
- Place the provider or school on probation; and
- Take certain corrective actions, including the use of an OEL-approved curriculum or an OEL approved staff development plan to strengthen instruction in language development and phonological awareness.⁷⁸

Out of 126,238 students who completed the VPK program, 63 percent were "ready for kindergarten" in the fall of 2019. Of 6,611 rated VPK providers, 2,175 failed to meet the minimum rate.⁷⁹ Of these 2,175 providers, 2,203 remained on probation.⁸⁰

⁷⁰ The DOE selected the Star Early Literacy Assessment, developed by Renaissance Learning, Inc., as the Florida Kindergarten Readiness Screener (FLKRS). Rule 6M-8.601(3)(b)1., F.A.C.; see also DOE, *Florida Kindergarten Readiness Screener*, <http://www.fldoe.org/accountability/assessments/k-12-student-assessment/flkrs/> (last visited Mar. 13, 2021).

⁷¹ Sections 1002.69(1)-(3) and 1002.73, F.S.

⁷² See s. 1002.67(1), F.S. See also Florida's Office of Early Learning, *Early Learning and Developmental Standards: 4 Years Old to Kindergarten* (2017) at 1, incorporated by reference in rule 6M-8.602, F.A.C.

⁷³ Rule 6M-8.601(3)(b), F.A.C.

⁷⁴ Section 1002.69(5)-(6), F.S.; To be considered "ready for kindergarten," a student must achieve a score of 500 or higher on the Star Early Literacy assessment. Rule 6M-8.601, F.A.C.

⁷⁵ Section 1002.69(5), F.S.; Rule 6A-1.09433(1)(b), F.A.C.

⁷⁶ Section 1002.69(5), F.S.; Rule 6M-8.601(3)(b), F.A.C.

⁷⁷ *Id.*

⁷⁸ Section 1002.67(4), F.S.

⁷⁹ Email, DOE (Dec. 15, 2020) (on file with the Senate Committee on Education).

⁸⁰ Email, Office of Early Learning (Mar. 29, 2019) (on file with the Senate Committee on Education).

A VPK provider on probation and failing to meet the minimum readiness rate for two consecutive years must be removed from eligibility to provide the VPK program for 5 years, unless the provider receives from the OEL a good cause exemption.⁸¹

The DOE launched a VPK progress monitoring pilot program by permitting, beginning in January 2021 and continuing through the 2021-2022 school year, up to 1900 VPK providers to access the assessment used for the statewide kindergarten screening. The DOE allocated \$2.9 million from the CARES Act funds for the program.⁸²

The DOE allocated \$18 million of the Child Care Development and Block Grant Fund from the CARES Act to implement summer programs for rising kindergarten students identified with limited language and emergent literacy skills as determined by the VPK assessments and teacher recommendations.⁸³

Effect of Proposed Changes

VPK Instructor Requirements

The bill modifies s. 1002.59, to add requirements to the emergent literacy training courses, developed by the OEL, for prekindergarten instructors. The bill requires the JRFO to work with the OEL in the development of the emergent literacy training courses and specifies that the courses must be consistent with the evidence-based reading instructional and intervention programs developed by the JRFO and the Florida Center for Reading Research.

The bill also modifies s. 1002.55, F.S., to revise emergent literacy training to require that the training course be available online and that private prekindergarten instructors complete at least one qualifying emergent literacy training course every 5 years. The additional requirements for VPK instructors may provide instructors with more skills to teach VPK students.

VPK Accountability

The bill modifies s. 1008.25, F.S., to require a VPK student who demonstrates a substantial deficiency in early literacy skills based upon the results of the CSPM to be referred to the school district following completion of the VPK term and prior to the beginning of the next school year. The bill makes the student eligible for intensive reading interventions from the school district, which may be funded from the evidence-based reading instruction allocation. The additional reading interventions may provide additional opportunities for students to improve reading skills.

⁸¹ Section 1002.67(4)(c)3., F.S. A VPK provider must submit a request for a good cause exemption to the OEL for review and approval and include specified data. Section 1002.69(7)(b)-(c), F.S. A VPK provider that receives a good cause exemption must continue to implement its improvement plan and take corrective actions until the provider meets the minimum kindergarten readiness rate. Sections 1002.69(7)(e) and 1002.67(3)(c)2., F.S.

⁸² Florida Department of Education, *Progress Monitoring: Building Effective, Data-Informed Strategies to Close Achievement Gaps* (Nov. 18, 2020), available at <https://www.fldoe.org/core/fileparse.php/19925/urlt/2-3.pdf> at 6, (last visited Mar. 13, 2021).

⁸³ Florida Department of Education, *Reopening Florida's Schools and the CARES Act*, available at <http://www.fldoe.org/core/fileparse.php/19861/urlt/FLDOEReopeningCARESAct.pdf> at 98, (last visited Mar. 13, 2021).

The CSPM replaces current VPK program progress monitoring and accountability requirements in ss. 1002.67 and 1002.69, F.S. With the implementation of the CSPM beginning with the 2022-2023 school year, the bill:

- Phases out the pre- and post-assessment and the statewide kindergarten readiness screening.
- Requires learning gains and kindergarten readiness rates to be calculated using data from the CSPM.

The VPK accountability metrics provided in the bill may measure student performance more contemporaneously with the instruction provided and support the timely provision of information to parents, school districts, and VPK providers.

Kindergarten Readiness

To assist all parents with the transition from prekindergarten to kindergarten, the bill modifies s. 1002.83, F.S. to require the OEL to provide guidance for successful kindergarten transitions to ELCs, school districts, charter schools, and parents. The bill requires each ELC to develop a best-practices plan for transitioning students into kindergarten, which must include all of the following:

- Opportunities for prekindergarten students and their parents to visit schools in which they may be enrolled in kindergarten.
- Written information for parents on school registration and academic and social expectations for kindergarten.
- Meetings at least annually with school districts and charter schools in the coalition's service area to identify and address areas for improvement in transitioning prekindergarten students into kindergarten.
- Transferring prekindergarten student information for continuity in progress monitoring and the provision of supports.

The additional supports for transitioning students to kindergarten may help prepare students for kindergarten. ELCs may require coordination from school districts regarding kindergarten enrollment, visits, and student data.

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:

Providers may incur costs associated with having private VPK instructors to complete at least one qualifying emergent literacy training course every five years and having to participate in the new coordinated screening and progress monitoring system, beginning in the 2022-2023 school year.

C. Government Sector Impact:

The coordinated screening and progress monitoring required by the bill for students enrolled in the Voluntary Prekindergarten Education Program through grade 8 will require the expenditure of state funds.

The Department of Education estimates that it will cost \$15 million annually to implement the new coordinated screening and progress monitoring program. These costs could be offset, in part, by the elimination of the current VPK assessment and kindergarten screening in fiscal year 2022-2023. To assist with the procurement of the new system and its ongoing management, the department anticipates needing one additional Program Specialist IV position, at a cost of \$87,075 annually. School districts may also incur costs associated with computer equipment needed to administer the new assessments.

The department estimates that it will cost \$5 million annually to contract with an external entity to implement the new Reading Achievement Initiative for Scholastic Excellence (RAISE) within the department. In addition, the department also anticipates needing two additional Program Specialist IVs and one additional administrative assistant at a cost of \$240,014 annually to establish and maintain the literacy support teams and tutoring program. School districts may also incur costs associated with recruiting, training and deploying eligible high school students as part of the tutoring program.

The department anticipates that the addition of microcredentials to teacher certificates will require programming changes to the educator certification system at an indeterminate cost.

VI. Technical Deficiencies:

Section 15 of the bill includes an incorrect cross-reference to federal law. A provision of the bill that defines “evidence-based” to mean demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes as provided in 20 U.S.C. s. 8101(21)(A)(i). The definition of the term “evidence-based” is included in the United States Code at 20 U.S.C. s. 7801(21)(A)(i).

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 1001.215, 1001.42, 1002.33, 1002.55, 1002.59, 1002.67, 1002.69, 1002.83, 1002.995, 1003.621, 1004.04, 1008.25, 1008.345, 1011.62, 1011.67, 1012.585, 1012.586, 1012.98, 1012.986.

This bill creates the following section of the Florida Statutes: 1008.365.

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.

By Senator Rodriguez

39-01370-21

20211898__

1 A bill to be entitled
 2 An act relating to student literacy; amending s.
 3 1001.215, F.S.; revising and providing duties for the
 4 Just Read, Florida! Office within the Department of
 5 Education; amending s. 1001.42, F.S.; revising a
 6 district school board's duty to implement a school
 7 improvement plan for certain low-performing schools to
 8 conform to changes made by the act; amending s.
 9 1002.33, F.S.; conforming a provision to changes made
 10 by the act; amending s. 1002.55, F.S.; revising
 11 requirements for prekindergarten instructors relating
 12 to completing an emergent literacy training course;
 13 amending s. 1002.59, F.S.; requiring the Office of
 14 Early Learning to adopt minimum standards for such
 15 course in collaboration with the Just Read, Florida!
 16 Office; requiring such course to be consistent with
 17 certain strategies identified by the Just Read,
 18 Florida! Office; amending s. 1002.67, F.S.; requiring
 19 certain private prekindergarten providers and public
 20 schools to use a coordinated screening and progress
 21 monitoring system; amending s. 1002.69, F.S.;
 22 requiring the Department of Education, in consultation
 23 with the Office of Early Learning, to implement a
 24 coordinated screening and progress monitoring system
 25 for students in the Voluntary Prekindergarten
 26 Education Program through grade 8; requiring such
 27 screening and progress monitoring system to be used to
 28 assess kindergarten readiness and to determine student
 29 learning gains; amending s. 1002.83, F.S.; requiring

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30 early learning coalitions to adopt best-practices
 31 plans for transitioning prekindergarten students into
 32 kindergarten; providing requirements for such plans;
 33 requiring the Office of Early Learning to provide
 34 certain guidelines to assist early learning
 35 coalitions, schools districts, charter schools, and
 36 parents; amending ss. 1002.995 and 1003.621, F.S.;
 37 conforming provisions to changes made by the act;
 38 amending s. 1004.04, F.S.; revising provisions
 39 relating to teacher preparation programs; removing
 40 provisions authorizing the waiver of certain admission
 41 requirements for such programs; requiring certain
 42 school district and instructional personnel to have
 43 evidence of being certified or endorsed in reading
 44 beginning in a specified school year; amending s.
 45 1008.25, F.S.; requiring certain students to
 46 participate in a certain coordinated screening and
 47 progress monitoring system; requiring schools to
 48 communicate with parents at least monthly regarding
 49 the progress of certain students; providing
 50 requirements for such communication; requiring the
 51 department to develop a handbook for schools to
 52 provide to parents of certain students; providing
 53 requirements for such handbook; requiring the
 54 department, in collaboration with the Office of Early
 55 Learning, to procure and require the use of a certain
 56 coordinated screening and progress monitoring system;
 57 providing requirements for such system; requiring
 58 private Voluntary Prekindergarten Education Program

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59 providers and public schools to participate in such
 60 system beginning in a specified school year; providing
 61 the frequency with which such system must be
 62 administered during the program year or school year,
 63 as applicable; providing that certain prekindergarten
 64 students may be eligible for intensive reading
 65 interventions; authorizing a school district to pay
 66 for such interventions using certain funds; requiring
 67 screening and progress monitoring system results to be
 68 reported to the department and maintained in a
 69 specified department warehouse; requiring such results
 70 to be provided to a student's teacher and parent;
 71 requiring the department, in collaboration with the
 72 Office of Early Learning, to provide certain training
 73 and support; amending s. 1008.345, F.S.; conforming a
 74 cross-reference; creating s. 1008.365, F.S.; providing
 75 a short title; establishing the Reading Achievement
 76 Initiative for Scholastic Excellence Program within
 77 the department; providing a purpose; requiring the
 78 department to establish a specified number of literacy
 79 support regions and regional support teams for a
 80 certain purpose; requiring a regional literacy support
 81 director to meet certain criteria; providing duties
 82 and requirements for such teams; authorizing the
 83 department to establish criteria for identifying
 84 schools that need supports; requiring such schools to
 85 implement a certain plan; requiring the department to
 86 provide progress monitoring data to such teams
 87 regarding the implementation of supports; providing

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88 requirements for such supports; providing that certain
 89 schools are not required to implement a turnaround
 90 option or take other corrective actions; authorizing a
 91 school to discontinue receiving supports and
 92 implementing a school improvement plan under certain
 93 circumstances; requiring the department to establish a
 94 tutoring program and develop certain training to
 95 prepare high school students to tutor certain
 96 students; providing eligibility criteria for high
 97 school students to participate in a tutoring program;
 98 requiring school districts that wish to participate in
 99 such program to recruit, train, and deploy eligible
 100 high school students; providing requirements for such
 101 program; requiring the department to designate certain
 102 high school students as New Worlds Scholars; requiring
 103 the State Board of Education to adopt rules; amending
 104 s. 1011.62, F.S.; renaming the research-based reading
 105 instruction allocation as the evidence-based reading
 106 instruction allocation; requiring such allocation to
 107 be used to provide comprehensive reading instruction
 108 to certain prekindergarten students; requiring a
 109 school district's K-12 comprehensive reading plan to
 110 be developed with input from certain personnel and
 111 provide for certain interventions delivered by certain
 112 instructional personnel; requiring the department to
 113 annually release to certain school districts their
 114 allocations of appropriated funds by a specified date;
 115 requiring the department to annually report certain
 116 findings and recommendations to the State Board of

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117 Education by a specified date; providing a definition;
 118 amending s. 1011.67, F.S.; authorizing school
 119 districts to purchase certain instructional materials
 120 with specified funds without undergoing certain
 121 adoption procedures; amending s. 1012.585, F.S.;
 122 providing a limitation on earning certain inservice
 123 points; amending s. 1012.586, F.S.; requiring the
 124 department to adopt competency-based pathways for
 125 instructional personnel to earn a reading endorsement
 126 by the beginning of a specified school year; providing
 127 requirements for such pathways; requiring the
 128 department to place microcredentials on participants'
 129 educator certificates; providing requirements for the
 130 department in adopting such pathways; requiring school
 131 districts to resubmit certain programs to the
 132 department for approval by a specified date;
 133 prohibiting instructional personnel from earning a
 134 reading endorsement solely by achieving a passing
 135 score on a specified assessment; amending s. 1012.98,
 136 F.S.; requiring the department to identify certain
 137 professional development opportunities to be
 138 implemented by school districts; amending s. 1012.986,
 139 F.S.; revising the goals of the William Cecil Golden
 140 Professional Development Program for School Leaders to
 141 include support for instructional personnel who
 142 provide reading instruction and interventions;
 143 providing an effective date.

144
 145 Be It Enacted by the Legislature of the State of Florida:

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146
 147 Section 1. Subsections (1) through (6) and subsection (11)
 148 of section 1001.215, Florida Statutes, are amended, and
 149 subsection (8) of that section is republished, to read:
 150 1001.215 Just Read, Florida! Office.—There is created in
 151 the Department of Education the Just Read, Florida! Office. The
 152 office is fully accountable to the Commissioner of Education and
 153 shall:
 154 (1) Provide training to ~~Train~~ reading coaches and school
 155 administrators on the evidence-based strategies identified
 156 pursuant to subsection (8) for purposes of implementation,
 157 modeling, and classroom observations to support professional
 158 growth and inform performance evaluations of instructional
 159 personnel.
 160 (2) Create multiple designations of effective reading
 161 instruction, with accompanying credentials and microcredentials,
 162 to enable all teachers to integrate reading instruction into
 163 their content areas and indicate mastery of specific, evidence-
 164 based strategies.
 165 (3) Work with the Lastinger Center for Learning at the
 166 University of Florida to develop training for K-12 teachers,
 167 reading coaches, and school administrators ~~principals~~ on
 168 effective content-area-specific reading strategies; the
 169 coordinated integration of content-rich curriculum from other
 170 core subject areas into reading instruction, with an emphasis on
 171 civic literacy; and evidence-based reading strategies identified
 172 pursuant to ~~in~~ subsection (8) to improve student reading
 173 performance. For secondary teachers, emphasis shall be on
 174 technical text. These strategies must be developed for all

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content areas in the K-12 curriculum.

(4) Develop and provide access to sequenced, content-rich curriculum programming, instructional practices, and resources that help elementary schools use state-adopted instructional materials to increase students' background knowledge and literacy skills, including student attainment of the Next Generation Sunshine State Standards for social studies, science, and the arts. The office shall, as part of the adoption cycle for English Language Arts instructional materials, assist in evaluating elementary grades instructional materials submitted for adoption consideration, identify those materials that are closely aligned to the content and evidence-based strategies identified pursuant to subsection (8), and incorporate professional development to implement such strategies.

(5) Provide parents with information and evidence-based strategies for assisting their children in reading, including reading in content areas.

(6) Provide technical assistance to school districts in the development and implementation of district plans for use of the evidence-based ~~research-based~~ reading instruction allocation provided in s. 1011.62(9) and annually review and approve such plans.

(8) Work with the Florida Center for Reading Research to identify scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies. Reading intervention includes

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evidence-based strategies frequently used to remediate reading deficiencies and includes, but is not limited to, individual instruction, multisensory approaches, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities.

(11) Work with teacher preparation programs approved pursuant to ss. 1004.04 and 1004.85 to integrate effective, ~~research-based~~ and evidence-based reading instructional and intervention strategies, including explicit, systematic, and sequential reading strategies, multisensory intervention strategies, and reading in content area instructional strategies into teacher preparation programs.

Section 2. Paragraph (a) of subsection (18) of section 1001.42, Florida Statutes, is amended to read:

1001.42 Powers and duties of district school board.—The district school board, acting as a board, shall exercise all powers and perform all duties listed below:

(18) IMPLEMENT SCHOOL IMPROVEMENT AND ACCOUNTABILITY.—Maintain a system of school improvement and education accountability as provided by statute and State Board of Education rule. This system of school improvement and education accountability shall be consistent with, and implemented through, the district's continuing system of planning and budgeting required by this section and ss. 1008.385, 1010.01, and 1011.01. This system of school improvement and education accountability shall comply with the provisions of ss. 1008.33, 1008.34, 1008.345, and 1008.385 and include the following:

(a) *School improvement plans.*—The district school board shall annually approve and require implementation of a new,

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amended, or continuation school improvement plan for each school in the district which has a school grade of "D" or "F"; has a significant gap in achievement on statewide, standardized assessments administered pursuant to s. 1008.22 by one or more student subgroups, as defined in the federal Elementary and Secondary Education Act (ESEA), 20 U.S.C. s. 6311(b)(2)(C)(v)(II); has not significantly increased the percentage of students passing statewide, standardized assessments; has not significantly increased the percentage of students demonstrating Learning Gains, as defined in s. 1008.34 and as calculated under s. 1008.34(3)(b), who passed statewide, standardized assessments; has been identified as requiring instructional supports under the Reading Achievement Initiative for Scholastic Excellence Program established in s. 1008.365; or has significantly lower graduation rates for a subgroup when compared to the state's graduation rate. The improvement plan of a school that meets the requirements of this paragraph shall include strategies for improving these results. The state board shall adopt rules establishing thresholds and for determining compliance with this paragraph.

Section 3. Paragraph (b) of subsection (17) of section 1002.33, Florida Statutes, is amended to read:

1002.33 Charter schools.—

(17) FUNDING.—Students enrolled in a charter school, regardless of the sponsorship, shall be funded as if they are in a basic program or a special program, the same as students enrolled in other public schools in the school district. Funding for a charter lab school shall be as provided in s. 1002.32.

(b) The basis for the agreement for funding students

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enrolled in a charter school shall be the sum of the school district's operating funds from the Florida Education Finance Program as provided in s. 1011.62 and the General Appropriations Act, including gross state and local funds, discretionary lottery funds, and funds from the school district's current operating discretionary millage levy; divided by total funded weighted full-time equivalent students in the school district; multiplied by the weighted full-time equivalent students for the charter school. Charter schools whose students or programs meet the eligibility criteria in law are entitled to their proportionate share of categorical program funds included in the total funds available in the Florida Education Finance Program by the Legislature, including transportation, the evidence-based ~~research-based~~ reading allocation, and the Florida digital classrooms allocation. Total funding for each charter school shall be recalculated during the year to reflect the revised calculations under the Florida Education Finance Program by the state and the actual weighted full-time equivalent students reported by the charter school during the full-time equivalent student survey periods designated by the Commissioner of Education. For charter schools operated by a not-for-profit or municipal entity, any unrestricted current and capital assets identified in the charter school's annual financial audit may be used for other charter schools operated by the not-for-profit or municipal entity within the school district. Unrestricted current assets shall be used in accordance with s. 1011.62, and any unrestricted capital assets shall be used in accordance with s. 1013.62(2).

Section 4. Paragraph (c) of subsection (3) and subsection

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291 (4) of section 1002.55, Florida Statutes, are amended to read:

292 1002.55 School-year prekindergarten program delivered by
293 private prekindergarten providers.-

294 (3) To be eligible to deliver the prekindergarten program,
295 a private prekindergarten provider must meet each of the
296 following requirements:

297 (c) The private prekindergarten provider must have, for
298 each prekindergarten class of 11 children or fewer, at least one
299 prekindergarten instructor who meets each of the following
300 requirements:

301 1. The prekindergarten instructor must hold, at a minimum,
302 one of the following credentials:

303 a. A child development associate credential issued by the
304 National Credentialing Program of the Council for Professional
305 Recognition; or

306 b. A credential approved by the Department of Children and
307 Families as being equivalent to or greater than the credential
308 described in sub-subparagraph a.

309 The Department of Children and Families may adopt rules under
310 ss. 120.536(1) and 120.54 which provide criteria and procedures
311 for approving equivalent credentials under sub-subparagraph b.

312 2. The prekindergarten instructor must successfully
313 complete an emergent literacy training course and a student
314 performance standards training course approved by the office as
315 meeting or exceeding the minimum standards adopted under s.
316 1002.59. The emergent literacy training course must be completed
317 at least once every 5 years after the prekindergarten instructor
318 initially completes the course. ~~The requirement for completion~~

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320 ~~of the standards training course shall take effect July 1, 2014,~~
321 ~~and~~ The ~~courses~~ course shall be made available online.

322 (4) A prekindergarten instructor, in lieu of the minimum
323 credentials ~~and courses~~ required under paragraph (3)(c)1.

324 ~~(3)(c)~~, may hold one of the following educational credentials:

325 (a) A bachelor's or higher degree in early childhood
326 education, prekindergarten or primary education, preschool
327 education, or family and consumer science;

328 (b) A bachelor's or higher degree in elementary education,
329 if the prekindergarten instructor has been certified to teach
330 children any age from birth through 6th grade, regardless of
331 whether the instructor's educator certificate is current, and if
332 the instructor is not ineligible to teach in a public school
333 because his or her educator certificate is suspended or revoked;

334 (c) An associate's or higher degree in child development;

335 (d) An associate's or higher degree in an unrelated field,
336 at least 6 credit hours in early childhood education or child
337 development, and at least 480 hours of experience in teaching or
338 providing child care services for children any age from birth
339 through 8 years of age; or

340 (e) An educational credential approved by the department as
341 being equivalent to or greater than an educational credential
342 described in this subsection. The department may adopt criteria
343 and procedures for approving equivalent educational credentials
344 under this paragraph.

345 Section 5. Subsection (1) of section 1002.59, Florida
346 Statutes, is amended to read:

347 1002.59 Emergent literacy and performance standards
348 training courses.-

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349 (1) The office, in collaboration with the Just Read,
 350 Florida! Office, shall adopt minimum standards for one or more
 351 training courses in emergent literacy for prekindergarten
 352 instructors. Each course must comprise 5 clock hours and provide
 353 instruction in strategies and techniques to address the age-
 354 appropriate progress of prekindergarten students in developing
 355 emergent literacy skills, including oral communication,
 356 knowledge of print and letters, phonemic and phonological
 357 awareness, and vocabulary and comprehension development,
 358 consistent with the evidence-based content and strategies
 359 identified pursuant to s. 1001.215(8). Each course must also
 360 provide resources containing strategies that allow students with
 361 disabilities and other special needs to derive maximum benefit
 362 from the Voluntary Prekindergarten Education Program. Successful
 363 completion of an emergent literacy training course approved
 364 under this section satisfies requirements for approved training
 365 in early literacy and language development under ss.
 366 402.305(2)(e)5., 402.313(6), and 402.3131(5).

367 Section 6. Paragraph (a) of subsection (3) of section
 368 1002.67, Florida Statutes, is amended to read:

369 1002.67 Performance standards; curricula and
 370 accountability.—

371 (3)(a) Contingent upon legislative appropriation, each
 372 private prekindergarten provider and public school in the
 373 Voluntary Prekindergarten Education Program must implement an
 374 evidence-based pre- and post-assessment that has been approved
 375 by rule of the State Board of Education. However, beginning with
 376 the 2022-2023 school year, such providers and public schools
 377 shall use a coordinated screening and progress monitoring system

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378 pursuant to s. 1008.25(8) to meet the requirements of this
 379 subsection.

380 Section 7. Subsections (1) and (5) of section 1002.69,
 381 Florida Statutes, are amended to read:

382 1002.69 Statewide kindergarten screening; kindergarten
 383 readiness rates; state-approved prekindergarten enrollment
 384 screening; good cause exemption.—

385 (1) The department shall adopt a statewide kindergarten
 386 screening that assesses the readiness of each student for
 387 kindergarten based upon the performance standards adopted by the
 388 department under s. 1002.67(1) for the Voluntary Prekindergarten
 389 Education Program. However, beginning with the 2022-2023 school
 390 year, the department, in consultation with the Office of Early
 391 Learning, shall implement a coordinated screening and progress
 392 monitoring system for the Voluntary Prekindergarten Education
 393 Program through grade 8 pursuant to s. 1008.25(8), which must be
 394 used to assess kindergarten readiness consistent with this
 395 subsection. The department shall require that each school
 396 district administer the statewide kindergarten screening to each
 397 kindergarten student in the school district within the first 30
 398 school days of each school year. Nonpublic schools may
 399 administer the statewide kindergarten screening to each
 400 kindergarten student in a nonpublic school who was enrolled in
 401 the Voluntary Prekindergarten Education Program.

402 (5) The office shall adopt procedures to annually calculate
 403 each private prekindergarten provider's and public school's
 404 kindergarten readiness rate, which must be expressed as the
 405 percentage of the provider's or school's students who are
 406 assessed as ready for kindergarten. The methodology for

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calculating each provider's kindergarten readiness rate must include student learning gains when available and the percentage of students who meet all state readiness measures. The rates must not include students who are not administered the statewide kindergarten screening. The office shall determine learning gains using a value-added measure based on growth demonstrated by the results of the preassessment and postassessment from at least 2 successive years of administration of the preassessment and postassessment. However, beginning with the 2022-2023 school year, a coordinated screening and progress monitoring system implemented pursuant to s. 1008.25(8) must be used to determine such learning gains consistent with this subsection.

Section 8. Present subsection (14) of section 1002.83, Florida Statutes, is redesignated as subsection (15), and a new subsection (14) is added to that section, to read:

1002.83 Early learning coalitions.—

(14) Each early learning coalition shall adopt a best-practices plan for transitioning prekindergarten students into kindergarten. The plan must provide for:

(a) Opportunities for prekindergarten students and their parents to visit schools in which they may be enrolled in kindergarten.

(b) Written information for parents on school registration and academic and social expectations for kindergarten.

(c) Meetings at least annually with school districts and charter schools in the coalition's service area to identify and address areas for improvement in transitioning prekindergarten students into kindergarten.

(d) Transferring prekindergarten student information for

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continuity in progress monitoring and the provision of supports.

The office shall provide guidelines for successful kindergarten transitions to early learning coalitions, school districts, charter schools, and parents to assist with the implementation of this subsection.

Section 9. Subsection (2) of section 1002.995, Florida Statutes, is amended to read:

1002.995 Early learning professional development standards and career pathways.—

(2) To the greatest extent possible, the credentials and certifications established pursuant to this section shall align with the training for K-12 teachers, reading coaches, and school administrators ~~principals~~ in s. 1001.215(3).

Section 10. Paragraph (g) of subsection (2) of section 1003.621, Florida Statutes, is amended to read:

1003.621 Academically high-performing school districts.—It is the intent of the Legislature to recognize and reward school districts that demonstrate the ability to consistently maintain or improve their high-performing status. The purpose of this section is to provide high-performing school districts with flexibility in meeting the specific requirements in statute and rules of the State Board of Education.

(2) COMPLIANCE WITH STATUTES AND RULES.—Each academically high-performing school district shall comply with all of the provisions in chapters 1000-1013, and rules of the State Board of Education which implement these provisions, pertaining to the following:

(g) Those statutes pertaining to planning and budgeting,

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including chapter 1011, except s. 1011.62(9)(d), relating to the requirement for a comprehensive reading plan. A district that is exempt from submitting this plan shall be deemed approved to receive the evidence-based ~~research-based~~ reading instruction allocation.

Section 11. Paragraph (b) of subsection (3) and paragraph (b) of subsection (5) of section 1004.04, Florida Statutes, are amended to read:

1004.04 Public accountability and state approval for teacher preparation programs.—

(3) INITIAL STATE PROGRAM APPROVAL.—

(b) Each teacher preparation program approved by the Department of Education, as provided for by this section, shall require students, at a minimum, ~~to meet, at a minimum, the following as prerequisites for admission into the program:~~

1. Have a grade point average of at least 2.5 on a 4.0 scale for the general education component of undergraduate studies or have completed the requirements for a baccalaureate degree with a minimum grade point average of 2.5 on a 4.0 scale from any college or university accredited by a regional accrediting association as defined by State Board of Education rule or any college or university otherwise approved pursuant to State Board of Education rule.

2. Demonstrate mastery of general knowledge ~~sufficient for entry into the program~~, including the ability to read, write, and perform in mathematics, by passing the General Knowledge Test of the Florida Teacher Certification Examination or, for a graduate level program, obtain a baccalaureate degree from an institution that is accredited or approved pursuant to the rules

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of the State Board of Education.

~~Each teacher preparation program may waive these admissions requirements for up to 10 percent of the students admitted. Programs shall implement strategies to ensure that students admitted under a waiver receive assistance to demonstrate competencies to successfully meet requirements for certification and shall annually report to the Department of Education the status of each candidate admitted under such a waiver.~~

(5) PRESERVICE FIELD EXPERIENCE.—All postsecondary instructors, school district personnel and instructional personnel, and school sites preparing instructional personnel through preservice field experience courses and internships shall meet special requirements. District school boards may pay student teachers during their internships.

(b)1. All school district personnel and instructional personnel who supervise or direct teacher preparation students during field experience courses or internships taking place in this state in which candidates demonstrate an impact on student learning growth must have:

a. Evidence of “clinical educator” training;~~;~~

b. A valid professional certificate issued pursuant to s. 1012.56;~~;~~ ~~and~~

c. At least 3 years of teaching experience in prekindergarten through grade 12; ~~and must have~~

d. Earned an effective or highly effective rating on the prior year’s performance evaluation under s. 1012.34 or be a peer evaluator under the district’s evaluation system approved under s. 1012.34; and

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e. Beginning with the 2022-2023 school year, for all such personnel who supervise or direct teacher preparation students during internships in kindergarten through grade 3 or who are enrolled in a teacher preparation program for a certificate area identified pursuant to s. 1012.585(3)(f), evidence of being certified or endorsed in reading.

The State Board of Education shall approve the training requirements.

2. All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships in another state, in which a candidate demonstrates his or her impact on student learning growth, through a Florida online or distance program must have received "clinical educator" training or its equivalent in that state, hold a valid professional certificate issued by the state in which the field experience takes place, and have at least 3 years of teaching experience in prekindergarten through grade 12.

3. All instructional personnel who supervise or direct teacher preparation students during field experience courses or internships, in which a candidate demonstrates his or her impact on student learning growth, on a United States military base in another country through a Florida online or distance program must have received "clinical educator" training or its equivalent, hold a valid professional certificate issued by the United States Department of Defense or a state or territory of the United States, and have at least 3 years teaching experience in prekindergarten through grade 12.

Section 12. Present subsections (8) and (9) of section

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1008.25, Florida Statutes, are redesignated as subsections (9) and (10), respectively, and paragraph (d) of subsection (5) and a new subsection (8) are added to that section, and paragraph (a) of subsection (4), paragraph (c) of subsection (5), paragraph (a) of subsection (7), and present subsection (8) are amended, to read:

1008.25 Public school student progression; student support; screening and progress monitoring; reporting requirements.—

(4) ASSESSMENT AND SUPPORT.—

(a) Each student must participate in the statewide, standardized assessment program required under ~~by~~ s. 1008.22 and the Voluntary Prekindergarten Education Program through grade 8 coordinated screening and progress monitoring system required under subsection (8). Each student who does not achieve a Level 3 or above on the statewide, standardized English Language Arts assessment, the statewide, standardized Mathematics assessment, or the Algebra I EOC assessment must be evaluated to determine the nature of the student's difficulty, the areas of academic need, and strategies for providing academic supports to improve the student's performance.

(5) READING DEFICIENCY AND PARENTAL NOTIFICATION.—

(c) The parent of any student who exhibits a substantial deficiency in reading, as described in paragraph (a), must be notified in writing of the following:

1. That his or her child has been identified as having a substantial deficiency in reading, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in reading.

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581 2. A description of the current services that are provided
 582 to the child.
 583 3. A description of the proposed intensive interventions
 584 and supports that will be provided to the child that are
 585 designed to remediate the identified area of reading deficiency.
 586 4. That if the child's reading deficiency is not remediated
 587 by the end of grade 3, the child must be retained unless he or
 588 she is exempt from mandatory retention for good cause.
 589 5. Strategies, including multisensory strategies, through a
 590 read-at-home plan the parent can use in helping his or her child
 591 succeed in reading.
 592 6. That the statewide, standardized English Language Arts
 593 assessment is not the sole determiner of promotion and that
 594 additional evaluations, portfolio reviews, and assessments are
 595 available to the child to assist parents and the school district
 596 in knowing when a child is reading at or above grade level and
 597 ready for grade promotion.
 598 7. The district's specific criteria and policies for a
 599 portfolio as provided in subparagraph (6)(b)4. and the evidence
 600 required for a student to demonstrate mastery of Florida's
 601 academic standards for English Language Arts. A parent of a
 602 student in grade 3 who is identified anytime during the year as
 603 being at risk of retention may request that the school
 604 immediately begin collecting evidence for a portfolio.
 605 8. The district's specific criteria and policies for
 606 midyear promotion. Midyear promotion means promotion of a
 607 retained student at any time during the year of retention once
 608 the student has demonstrated ability to read at grade level.
 609

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610 After initial notification, the school shall apprise the parent
 611 at least monthly of the student's progress in response to the
 612 intensive interventions and supports. Such communications must
 613 be in writing and must explain any additional interventions or
 614 supports that will be implemented to accelerate the student's
 615 progress if the interventions and supports already being
 616 implemented have not resulted in improvement.
 617 (d) The Department of Education shall develop a handbook
 618 that schools must provide to the parent of a student who is
 619 identified as having a substantial reading deficiency. The
 620 handbook must be made available in an electronic format that is
 621 accessible online and must include the following information:
 622 1. An overview of the types of assessments used to identify
 623 reading deficiencies and what those assessments measure or do
 624 not measure, the frequency with which the assessments are
 625 administered, and the requirements for interventions and
 626 supports that districts must provide to students who do not make
 627 adequate academic progress.
 628 2. An overview of the process for initiating and conducting
 629 evaluations for exceptional education eligibility. The overview
 630 must include an explanation that a diagnosis of a medical
 631 condition alone is not sufficient to establish exceptional
 632 education eligibility but may be used to document how that
 633 condition relates to the student's eligibility determination and
 634 may be disclosed in an eligible student's individual education
 635 plan when necessary to inform school personnel responsible for
 636 implementing the plan.
 637 3. Characteristics of conditions associated with learning
 638 disorders, including dyslexia, dysgraphia, dyscalculia, and

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developmental aphasia.

4. A list of resources that support informed parent involvement in decisionmaking processes for students who have difficulty in learning.

(7) SUCCESSFUL PROGRESSION FOR RETAINED THIRD GRADE STUDENTS.—

(a) Students retained under paragraph (5) (b) must be provided intensive interventions in reading to ameliorate the student's specific reading deficiency and prepare the student for promotion to the next grade. These interventions must include:

1. Evidence-based, explicit, systematic, and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district.

2. Participation in the school district's summer reading camp, which must incorporate the instructional and intervention strategies under subparagraph 1.

3. A minimum of 90 minutes of daily, uninterrupted reading instruction incorporating the instructional and intervention strategies under subparagraph 1. This instruction may include:

a. Coordinated integration of content-rich texts in science and civic literacy ~~social studies~~ within the 90-minute block.

b. Small group instruction.

c. Reduced teacher-student ratios.

d. More frequent progress monitoring.

e. Tutoring or mentoring.

f. Transition classes containing 3rd and 4th grade students.

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g. Extended school day, week, or year.

(8) COORDINATED SCREENING AND PROGRESS MONITORING SYSTEM.—

(a) The Department of Education, in collaboration with the Office of Early Learning, shall procure and require the use of a statewide, standardized coordinated screening and progress monitoring system for the Voluntary Prekindergarten Education Program and public schools serving kindergarten through grade 8 students. The system must:

1. Measure student progress in the Voluntary Prekindergarten Education Program through grade 8 in meeting the appropriate expectations in early literacy and mathematics skills and in English Language Arts and mathematics standards as required by ss. 1002.67(1) (a) and 1003.41.

2. Measure student performance in oral language development, phonemic and phonological awareness, knowledge of print and letters, decoding, fluency, vocabulary, and comprehension, as applicable by grade level.

3. Be a valid, reliable, and developmentally appropriate computer-adaptive direct instrument that provides screening and diagnostic capabilities for monitoring student progress and identifies students who have a substantial deficiency in reading, including identifying students with characteristics of dyslexia.

4. Provide data for Voluntary Prekindergarten Education Program accountability as required under s. 1002.67.

5. Provide Voluntary Prekindergarten Education Program providers, school districts, schools, and teachers with data and resources that enhance differentiated instruction and parent communication.

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697 6. Provide information to the department to aid in the
 698 development of educational programs, policies, and supports for
 699 providers, districts, and schools.
 700 (b) Beginning with the 2022-2023 school year, private
 701 Voluntary Prekindergarten Education Program providers and public
 702 schools must participate in the screening and progress
 703 monitoring system. The screening and progress monitoring system
 704 must be administered at least three times within a program year
 705 or school year, as applicable, with the first administration
 706 occurring no later than the first 30 instructional days after
 707 the start of the program year or school year pursuant to state
 708 board rule.
 709 (c) A Voluntary Prekindergarten Education Program student
 710 who exhibits a substantial deficiency in early literacy skills
 711 based upon results under this subsection must be referred to the
 712 school district in which he or she resides and may be eligible
 713 to receive intensive reading interventions after program
 714 completion and before participating in kindergarten. Such
 715 interventions may be paid for using funds from the school
 716 district's evidence-based reading instruction allocation in
 717 accordance with s. 1011.62(9).
 718 (d) Screening and progress monitoring system results shall
 719 be reported to the department pursuant to state board rule and
 720 maintained in the department's K-20 data warehouse. Results must
 721 be provided to a student's teacher and parent in a timely manner
 722 as required in paragraph (2)(a).
 723 (e) The department, in collaboration with the Office of
 724 Early Learning, shall provide training and support for effective
 725 implementation of the screening and progress monitoring system.

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726 (9)(b) ANNUAL REPORT.—
 727 (a) In addition to the requirements in paragraph (5)(b),
 728 each district school board must annually report to the parent of
 729 each student the progress of the student toward achieving state
 730 and district expectations for proficiency in English Language
 731 Arts, science, social studies, and mathematics. The district
 732 school board must report to the parent the student's results on
 733 each statewide, standardized assessment and the screening and
 734 progress monitoring system under subsection (8). The evaluation
 735 of each student's progress must be based upon the student's
 736 classroom work, observations, tests, district and state
 737 assessments, response to intensive interventions provided under
 738 paragraph (5)(a), and other relevant information. Progress
 739 reporting must be provided to the parent in writing in a format
 740 adopted by the district school board.
 741 (b) Each district school board must annually publish on the
 742 district website and in the local newspaper the following
 743 information on the prior school year:
 744 1. The provisions of this section relating to public school
 745 student progression and the district school board's policies and
 746 procedures on student retention and promotion.
 747 2. By grade, the number and percentage of all students in
 748 grades 3 through 10 performing at Levels 1 and 2 on the
 749 statewide, standardized English Language Arts assessment.
 750 3. By grade, the number and percentage of all students
 751 retained in kindergarten through grade 10.
 752 4. Information on the total number of students who were
 753 promoted for good cause, by each category of good cause as
 754 specified in paragraph (6)(b).

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755 5. Any revisions to the district school board's policies
756 and procedures on student retention and promotion from the prior
757 year.

758 Section 13. Paragraph (a) of subsection (5) of section
759 1008.345, Florida Statutes, is amended to read:

760 1008.345 Implementation of state system of school
761 improvement and education accountability.—

762 (5) The commissioner shall annually report to the State
763 Board of Education and the Legislature and recommend changes in
764 state policy necessary to foster school improvement and
765 education accountability. The report shall include:

766 (a) For each school district:

767 1. The percentage of students, by school and grade level,
768 demonstrating learning growth in English Language Arts and
769 mathematics.

770 2. The percentage of students, by school and grade level,
771 in both the highest and lowest quartiles demonstrating learning
772 growth in English Language Arts and mathematics.

773 3. The information contained in the school district's
774 annual report required pursuant to s. 1008.25(9) ~~s. 1008.25(8)~~.

775

776 School reports shall be distributed pursuant to this subsection
777 and s. 1001.42(18)(c) and according to rules adopted by the
778 State Board of Education.

779 Section 14. Section 1008.365, Florida Statutes, is created
780 to read:

781 1008.365 Reading Achievement Initiative for Scholastic
782 Excellence Act.—

783 (1) This section may be cited as the "Reading Achievement

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784 Initiative for Scholastic Excellence Act."

785 (2) The Reading Achievement Initiative for Scholastic
786 Excellence (RAISE) Program is established within the Department
787 of Education to provide instructional supports to school
788 districts, school administrators, and instructional personnel in
789 implementing evidence-based reading instruction and
790 interventions in order to improve student reading achievement.

791 (3) The department shall establish at least 20 literacy
792 support regions and regional support teams, at the direction of
793 a regional literacy support director appointed by the
794 Commissioner of Education, to assist schools with improving low
795 reading scores as provided in this section.

796 (a) A regional literacy support director must be an
797 employee of a school district, successfully demonstrate
798 competence on the evidence-based strategies identified pursuant
799 to s. 1001.215(8) through a statewide, competency-based reading
800 endorsement pathway under s. 1012.586(2), and have the
801 experience and credentials necessary, as determined by the
802 department, to:

803 1. Effectively monitor student reading growth and
804 achievement data;

805 2. Oversee districtwide and schoolwide professional
806 development and planning to establish evidence-based practices
807 among school administrators and instructional personnel;

808 3. Evaluate implementation of evidence-based practices; and
809 4. Manage a regional support team.

810 (b) A regional support team shall report to its regional
811 literacy support director and must consist of individuals who:

812 1. Successfully demonstrate competence on the evidence-

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813 based strategies identified pursuant to s. 1001.215(8) through a
 814 statewide, competency-based reading endorsement pathway under s.
 815 1012.586(2);

816 2. Have substantial experience in teaching and monitoring
 817 student progress data in reading; and

818 3. Have received training necessary to assist with the
 819 delivery of professional development and site-based supports,
 820 including modeling evidence-based practices and providing
 821 feedback to instructional personnel.

822 (4) The department may establish criteria to identify
 823 schools that must receive supports from a regional support team.
 824 However, regardless of its school grade designated pursuant to
 825 s. 1008.34, a school must be identified for supports if 50
 826 percent of its students who take the statewide, standardized
 827 English Language Arts assessment score below a Level 3 for any
 828 grade level, or, for students in kindergarten through grade 3,
 829 if progress monitoring data collected pursuant to s. 1008.25(8)
 830 shows that 50 percent or more of the students are not on track
 831 to pass the statewide, standardized grade 3 English Language
 832 Arts assessment. A school identified for supports under this
 833 section must implement a school improvement plan pursuant to s.
 834 1001.42(18).

835 (5) The department shall provide progress monitoring data
 836 to regional support teams regarding the implementation of
 837 supports. Such supports must include:

838 (a) Professional development, aligned to evidence-based
 839 strategies identified pursuant to s. 1001.215(8), for
 840 appropriate instructional personnel and school administrators
 841 identified by the regional support team.

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842 (b) Assistance with implementing:

843 1. Data-informed instructional decisionmaking using
 844 progress monitoring and other appropriate data.

845 2. Selection and consistent, coordinated use of high-
 846 quality instructional materials and supplemental materials.

847 3. Reading instruction in other core subject area
 848 curricula, with an emphasis on civic literacy.

849 4. A multitiered system of supports in order to provide
 850 students effective interventions and identify students who may
 851 require an evaluation for special educational services,
 852 including identifying characteristics of conditions that affect
 853 phonological processing, such as dyslexia.

854 (c) Evaluating a school's improvement plan for alignment
 855 with the school district's K-12 comprehensive reading plan under
 856 s. 1011.62(9)(d). If the regional support team determines that
 857 the school district's reading plan does not address the school's
 858 need to improve student outcomes, the regional literacy support
 859 director, the district school superintendent, or his or her
 860 designee, and the director of the Just Read, Florida! Office
 861 shall convene a meeting to rectify the deficiencies of the
 862 reading plan.

863 (6) Identification of a school for supports under this
 864 section does not require a school to implement a turnaround
 865 option or take other corrective actions under s. 1008.33.
 866 However, a regional support team may be used to assist with
 867 providing the differentiated matrix of intervention and support
 868 strategies under s. 1008.33, as appropriate. The department may
 869 direct a regional support team to make other forms of assistance
 870 available to school districts and schools.

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871 (7) Once a school's data shows that it no longer meets the
 872 criteria under subsection (4), the school may discontinue
 873 receiving supports and implementing a school improvement plan.
 874 Such supports may continue subject to available resources.

875 (8) As part of the RAISE Program, the department shall
 876 establish a tutoring program and develop training in effective
 877 reading tutoring practices and content, based on evidence-based
 878 practices and aligned to the English Language Arts standards
 879 under s. 1003.41, which prepares eligible high school students
 880 to tutor students in kindergarten through grade 3 in schools
 881 identified under this section, instilling in those students a
 882 love of reading and improving their literacy skills.

883 (a) To be eligible to participate in the tutoring program,
 884 a high school student must be a rising junior or senior who has
 885 a cumulative grade point average of 3.0 or higher, has no
 886 history of out-of-school suspensions or expulsions, is on track
 887 to complete all core course requirements to graduate, and has
 888 written recommendations from at least two of his or her present
 889 or former high school teachers of record or extracurricular
 890 activity sponsors.

891 (b) School districts that wish to participate in the
 892 tutoring program must recruit, train, and deploy eligible high
 893 school students using the materials developed under this
 894 section. Tutoring must occur during the school day on school
 895 district property in the presence and under the supervision of
 896 instructional personnel who are school district employees. A
 897 parent must give written permission for his or her child to
 898 receive tutoring through the program.

899 (c) Tutoring may be part of a service-learning course

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900 adopted pursuant to s. 1003.497. Students may earn up to 3
 901 elective credits for high school graduation based on the
 902 verified number of hours the student spends tutoring under the
 903 program. The hours of volunteer service must be documented in
 904 writing, and the document must be signed by the student, the
 905 student's parent or guardian, and an administrator or designee
 906 of the school in which the tutoring occurred. The hours that a
 907 high school student devotes to tutoring may be counted toward
 908 meeting community service requirements for high school
 909 graduation and community service requirements for participation
 910 in the Florida Bright Futures Scholarship Program as provided in
 911 s. 1003.497(3)(b). The department shall designate a high school
 912 student who provides at least 500 verified hours of tutoring
 913 under the program as a New Worlds Scholar and award the student
 914 with a pin indicating such designation.

915 (9) The State Board of Education shall adopt rules to
 916 administer this section.

917 Section 15. Paragraphs (b) and (d) of subsection (6) and
 918 subsections (9) and (11) of section 1011.62, Florida Statutes,
 919 are amended to read:

920 1011.62 Funds for operation of schools.—If the annual
 921 allocation from the Florida Education Finance Program to each
 922 district for operation of schools is not determined in the
 923 annual appropriations act or the substantive bill implementing
 924 the annual appropriations act, it shall be determined as
 925 follows:

926 (6) CATEGORICAL FUNDS.—

927 (b) If a district school board finds and declares in a
 928 resolution adopted at a regular meeting of the school board that

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the funds received for any of the following categorical appropriations are urgently needed to maintain school board specified academic classroom instruction or improve school safety, the school board may consider and approve an amendment to the school district operating budget transferring the identified amount of the categorical funds to the appropriate account for expenditure:

1. Funds for student transportation.
2. Funds for evidence-based ~~research-based~~ reading instruction if the required additional hour of instruction beyond the normal school day for each day of the entire school year has been provided for the students in each low-performing elementary school in the district pursuant to paragraph (9)(a).
3. Funds for instructional materials if all instructional material purchases necessary to provide updated materials that are aligned with applicable state standards and course descriptions and that meet statutory requirements of content and learning have been completed for that fiscal year, but no sooner than March 1. Funds available after March 1 may be used to purchase hardware for student instruction.
4. Funds for the guaranteed allocation as provided in subparagraph (1)(e)2.
5. Funds for the supplemental academic instruction allocation as provided in paragraph (1)(f).
6. Funds for the Florida digital classrooms allocation as provided in subsection (12).
7. Funds for the federally connected student supplement as provided in subsection (13).
8. Funds for class size reduction as provided in s.

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1011.685.

(d) If a district school board transfers funds from its ~~evidence-based research-based~~ reading instruction allocation, the board must also submit to the Department of Education an amendment describing the changes that the district is making to its reading plan approved pursuant to paragraph (9)(d).

(9) EVIDENCE-BASED ~~RESEARCH-BASED~~ READING INSTRUCTION ALLOCATION.—

(a) The evidence-based ~~research-based~~ reading instruction allocation is created to provide comprehensive reading instruction to students in kindergarten through grade 12, including certain students who have completed the Voluntary Prekindergarten Education Program and who exhibit a substantial deficiency in early literacy skills under s. 1008.25(8)(c). Each school district that has one or more of the 300 lowest-performing elementary schools based on a 3-year average of the state reading assessment data must use the school's portion of the allocation to provide an additional hour per day of intensive reading instruction for the students in each school. The additional hour may be provided within the school day. Students enrolled in these schools who earned a level 4 or level 5 score on the statewide, standardized English Language Arts assessment for the previous school year may participate in the additional hour of instruction. Exceptional student education centers may not be included in the 300 schools. The intensive reading instruction delivered in this additional hour shall include: evidence-based ~~research-based~~ reading instruction that has been proven to accelerate progress of students exhibiting a reading deficiency; differentiated instruction based on

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screening, diagnostic, progress monitoring, or student assessment data to meet students' specific reading needs; explicit and systematic reading strategies to develop phonemic awareness, phonics, fluency, vocabulary, and comprehension, with more extensive opportunities for guided practice, error correction, and feedback; and the coordinated integration of civic literacy ~~social studies~~, science, and mathematics-text reading, text discussion, and writing in response to reading.

(b) Funds for comprehensive, evidence-based ~~research-based~~ reading instruction shall be allocated annually to each school district in the amount provided in the General Appropriations Act. Each eligible school district shall receive the same minimum amount as specified in the General Appropriations Act, and any remaining funds shall be distributed to eligible school districts based on each school district's proportionate share of K-12 base funding.

(c) Funds allocated under this subsection must be used to provide a system of comprehensive reading instruction to students enrolled in the K-12 programs, which may include the following:

1. An additional hour per day of evidence-based intensive reading instruction to students in the 300 lowest-performing elementary schools by teachers and reading specialists who have demonstrated effectiveness in teaching reading as required in paragraph (a).
2. Kindergarten through grade 5 evidence-based ~~reading intervention~~ teachers to provide intensive reading interventions provided by reading intervention teachers ~~intervention~~ during the school day and in the required extra hour for students

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identified as having a substantial reading deficiency.

3. Highly qualified reading coaches to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.
4. Professional development for school district teachers in scientifically researched and evidence-based ~~based~~ reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text, to help school district teachers earn a certification or an endorsement in reading.
5. Summer reading camps, using only teachers or other district personnel who are certified or endorsed in reading consistent with s. 1008.25(7)(b)3., for all students in kindergarten through grade 2 who demonstrate a reading deficiency as determined by district and state assessments, and students in grades 3 through 5 who score at Level 1 on the statewide, standardized English Language Arts assessment.
6. Scientifically researched and evidence-based supplemental instructional materials ~~that are grounded in scientifically-based reading research~~ as identified by the Just Read, Florida! Office pursuant to s. 1001.215(8).
7. Evidence-based intensive reading interventions for students in kindergarten through grade 12 who have been identified as having a substantial reading deficiency or who are reading below grade level as determined by the statewide, standardized English Language Arts assessment.

(d)1. Annually, by a date determined by the Department of

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Education but before May 1, school districts shall submit a K-12 comprehensive reading plan for the specific use of the evidence-based research-based reading instruction allocation in the format prescribed by the department for review and approval by the Just Read, Florida! Office created pursuant to s. 1001.215. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall provide for intensive reading interventions identified through a root-cause analysis of student performance data and reflection tool developed by the department to evaluate the effectiveness of interventions implemented in the prior year. Intensive reading interventions must be delivered by instructional personnel who are certified or endorsed in reading and must incorporate evidence-based strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8).

2. By July 1 of each year, the department shall release to each school district with an approved plan its allocation of appropriated funds. The plan annually submitted by school districts shall be deemed approved unless the department rejects the plan on or before June 1. If a school district and the Just Read, Florida! Office cannot reach agreement on the contents of the plan, the school district may appeal to the State Board of Education for resolution. School districts shall be allowed reasonable flexibility in designing their plans and shall be encouraged to offer reading intervention through innovative methods, including career academies. The plan format shall be developed with input from school district personnel, including teachers and principals, and shall provide for intensive reading interventions through integrated curricula, provided that,

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~~beginning with the 2020-2021 school year, the interventions are delivered by a teacher who is certified or endorsed in reading. Such interventions must incorporate strategies identified by the Just Read, Florida! Office pursuant to s. 1001.215(8). No later than July 1 annually, the department shall release the school district's allocation of appropriated funds to those districts having approved plans. A school district that spends 100 percent of this allocation on its approved plan shall be deemed to have been in compliance with the plan. The department shall may withhold funds upon a determination that reading instruction allocation funds are not being used to implement the approved plan. The department shall evaluate monitor and track the implementation of each district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the department shall report its findings to the Legislature and the State Board of Education, including any recommendations for improving implementation of evidence-based reading and intervention strategies in classrooms.~~

3.2- Each school district that has a school designated as one of the 300 lowest-performing elementary schools as specified in paragraph (a) shall specifically delineate in the comprehensive reading plan, or in an addendum to the comprehensive reading plan, the implementation design and reading intervention strategies that will be used for the required additional hour of reading instruction. The term "reading intervention" includes evidence-based strategies frequently used to remediate reading deficiencies and also includes individual instruction, tutoring, mentoring, or the use

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1103 of technology that targets specific reading skills and
1104 abilities.

1105
1106 For purposes of this subsection, the term "evidence-based" means
1107 demonstrating a statistically significant effect on improving
1108 student outcomes or other relevant outcomes as provided in 20
1109 U.S.C. s. 8101(21)(A)(i).

1110 (11) VIRTUAL EDUCATION CONTRIBUTION.—The Legislature may
1111 annually provide in the Florida Education Finance Program a
1112 virtual education contribution. The amount of the virtual
1113 education contribution shall be the difference between the
1114 amount per FTE established in the General Appropriations Act for
1115 virtual education and the amount per FTE for each district and
1116 the Florida Virtual School, which may be calculated by taking
1117 the sum of the base FEEP allocation, the discretionary local
1118 effort, the state-funded discretionary contribution, the
1119 discretionary millage compression supplement, the evidence-based
1120 ~~research-based~~ reading instruction allocation, the teacher
1121 salary increase allocation, and the instructional materials
1122 allocation, and then dividing by the total unweighted FTE. This
1123 difference shall be multiplied by the virtual education
1124 unweighted FTE for programs and options identified in s.
1125 1002.455 and the Florida Virtual School and its franchises to
1126 equal the virtual education contribution and shall be included
1127 as a separate allocation in the funding formula.

1128 Section 16. Subsection (2) of section 1011.67, Florida
1129 Statutes, is amended to read:

1130 1011.67 Funds for instructional materials.—

1131 (2) Annually by July 1 and before the release of

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1132 instructional materials funds, each district school
1133 superintendent shall certify to the Commissioner of Education
1134 that the district school board has approved a comprehensive
1135 staff development plan that supports fidelity of implementation
1136 of instructional materials programs, including verification that
1137 training was provided; that the materials are being implemented
1138 as designed; and, beginning July 1, 2021, for core reading
1139 materials and reading intervention materials used in
1140 kindergarten through grade 5, that the materials meet the
1141 requirements of s. 1001.215(8). Such instructional materials, as
1142 evaluated and identified pursuant to s. 1001.215(4), may be
1143 purchased by the school district with funds under this section
1144 without undergoing the adoption procedures under s.
1145 1006.40(4)(b). This subsection does not preclude school
1146 districts from purchasing or using other materials to supplement
1147 reading instruction and provide additional skills practice.

1148 Section 17. Paragraph (g) is added to subsection (3) of
1149 section 1012.585, Florida Statutes, to read:

1150 1012.585 Process for renewal of professional certificates.—

1151 (3) For the renewal of a professional certificate, the
1152 following requirements must be met:

1153 (g) A teacher may earn inservice points only once during
1154 each 5-year validity period for any mandatory training topic
1155 that is not linked to student learning or professional growth.

1156 Section 18. Section 1012.586, Florida Statutes, is amended
1157 to read:

1158 1012.586 Additions or changes to certificates; duplicate
1159 certificates; reading endorsement pathways.—

1160 (1) A school district may process via a Department of

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Education website certificates for the following applications of public school employees:

~~(a)(1)~~ Addition of a subject coverage or endorsement to a valid Florida certificate on the basis of the completion of the appropriate subject area testing requirements of s. 1012.56(5)(a) or the completion of the requirements of an approved school district program or the inservice components for an endorsement.

~~1.(a)~~ To reduce duplication, the department may recommend the consolidation of endorsement areas and requirements to the State Board of Education.

~~2.(b)~~ By July 1, 2018, and At least once every 5 years thereafter, the department shall conduct a review of existing subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas. The review must include reciprocity requirements for out-of-state certificates and requirements for demonstrating competency in the reading instruction professional development topics listed in s. 1012.98(4)(b)11. The review must also consider the award of an endorsement to an individual who holds a certificate issued by an internationally recognized organization that establishes standards for providing evidence-based interventions to struggling readers or who completes a postsecondary program that is accredited by such organization. Any such certificate or program must require an individual who completes the certificate or program to demonstrate competence in reading intervention strategies through clinical experience. At the conclusion of each review, the department shall recommend to the state board changes to the subject coverage or endorsement requirements

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based upon any identified instruction or intervention strategies proven to improve student reading performance. This subparagraph ~~paragraph~~ does not authorize the state board to establish any new certification subject coverage.

~~(b)(2)~~ A reissued certificate to reflect a name change.

~~(c)(3)~~ A duplicate certificate to replace a lost or damaged certificate.

The employing school district shall charge the employee a fee not to exceed the amount charged by the Department of Education for such services. Each district school board shall retain a portion of the fee as defined in the rules of the State Board of Education. The portion sent to the department shall be used for maintenance of the technology system, the web application, and posting and mailing of the certificate.

(2)(a) By the beginning of the 2022-2023 school year, the department shall adopt one or more statewide, competency-based pathways by which instructional personnel may earn a reading endorsement. A pathway adopted by the department must allow a candidate to complete coursework online and demonstrate mastery of each endorsement competency either in person or remotely. The department shall place on each participant's educator certificate a microcredential for each competency module the candidate successfully completes.

(b) As part of adopting a pathway pursuant to paragraph (a), the department shall review the competencies for the reading endorsement for alignment with evidence-based instructional and intervention practices rooted in the science of reading, consistent with s. 1001.215(3), and recommend

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1219 changes to the State Board of Education. Recommended changes
 1220 must address identification of the characteristics of conditions
 1221 such as dyslexia, implementation of evidence-based classroom
 1222 instruction and interventions, and effective progress
 1223 monitoring. By July 1, 2023, each school district reading
 1224 endorsement add-on program must be resubmitted for approval by
 1225 the department consistent with this paragraph.

1226 (c) Beginning July 1, 2024, instructional personnel may not
 1227 earn a reading endorsement solely by achieving a passing score
 1228 on the K-12 reading certification subject area assessment.

1229 Section 19. Subsection (5) of section 1012.98, Florida
 1230 Statutes, is amended to read:

1231 1012.98 School Community Professional Development Act.—

1232 (5) Each district school board shall provide funding for
 1233 the professional development system as required by s. 1011.62
 1234 and the General Appropriations Act, and shall direct
 1235 expenditures from other funding sources to continuously
 1236 strengthen the system in order to increase student achievement
 1237 and support instructional staff in enhancing rigor and relevance
 1238 in the classroom. The department shall identify professional
 1239 development opportunities that require the teacher to
 1240 demonstrate proficiency in a specific classroom practice, with
 1241 priority given to implementing evidence-based reading
 1242 instructional and intervention strategies identified pursuant to
 1243 s. 1001.215(8). A school district may coordinate its
 1244 professional development program with that of another district,
 1245 with an educational consortium, or with a Florida College System
 1246 institution or university, especially in preparing and educating
 1247 personnel. Each district school board shall make available

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1248 inservice activities to instructional personnel of nonpublic
 1249 schools in the district and the state certified teachers who are
 1250 not employed by the district school board on a fee basis not to
 1251 exceed the cost of the activity per all participants.

1252 Section 20. Paragraph (e) is added to subsection (1) of
 1253 section 1012.986, Florida Statutes, to read:

1254 1012.986 William Cecil Golden Professional Development
 1255 Program for School Leaders.—

1256 (1) There is established the William Cecil Golden
 1257 Professional Development Program for School Leaders to provide
 1258 high standards and sustained support for principals as
 1259 instructional leaders. The program shall consist of a
 1260 collaborative network of state and national professional
 1261 leadership organizations to respond to instructional leadership
 1262 needs throughout the state. The network shall support the human-
 1263 resource development needs of principals, principal leadership
 1264 teams, and candidates for principal leadership positions using
 1265 the framework of leadership standards adopted by the State Board
 1266 of Education, the Southern Regional Education Board, and the
 1267 National Staff Development Council. The goal of the network
 1268 leadership program is to:

1269 (e) Support, through training on observation and evaluation
 1270 practices aligned to the science of reading, the professional
 1271 growth of instructional personnel who provide reading
 1272 instruction and interventions.

1273 Section 21. This act shall take effect July 1, 2021.

CourtSmart Tag Report

Room: KB 412 **Case No.:** -
Caption: Senate Appropriations Subcommittee on Education

Type:
Judge:

Started: 3/23/2021 10:30:49 AM
Ends: 3/23/2021 11:57:51 AM **Length:** 01:27:03

10:35:24 AM	Sen. Broxson (Chair)
10:36:43 AM	S 86
10:37:23 AM	Sen. Baxley
10:39:40 AM	Sen. Broxson
10:39:52 AM	Am. 666218
10:39:55 AM	Sen. Baxley
10:40:13 AM	Sen. Broxson
10:40:41 AM	Sen. Baxley
10:44:19 AM	Sen. Broxson
10:44:49 AM	Sen. Cruz
10:46:14 AM	Sen. Baxley
10:47:08 AM	Sen. Cruz
10:47:49 AM	Sen. Baxley
10:47:58 AM	Sen. Cruz
10:48:40 AM	Sen. Baxley
10:50:53 AM	Sen. Cruz
10:51:09 AM	Sen. Baxley
10:51:32 AM	Sen. Broxson
10:51:34 AM	Sen. Hutson
10:52:10 AM	Sen. Baxley
10:52:42 AM	Sen. Hutson
10:52:58 AM	Sen. Baxley
10:53:23 AM	Sen. Hutson
10:53:59 AM	Sen. Baxley
10:54:33 AM	Sen. Hutson
10:54:50 AM	Sen. Baxley
10:55:15 AM	Sen. Broxson
10:55:18 AM	Sen. Polsky
10:55:40 AM	Sen. Baxley
10:56:16 AM	Sen. Polsky
10:56:45 AM	Sen. Baxley
10:57:49 AM	Sen. Polsky
10:58:06 AM	Sen. Baxley
10:58:09 AM	Sen. Polsky
10:58:15 AM	Sen. Baxley
10:58:21 AM	Sen. Polsky
10:59:37 AM	Sen. Baxley
11:00:42 AM	Sen. Polsky
11:01:09 AM	Sen. Baxley
11:01:47 AM	Sen. Polsky
11:02:25 AM	Sen. Baxley
11:03:30 AM	Sen. Broxson
11:03:34 AM	Sen. Gibson
11:05:01 AM	Sen. Baxley
11:05:44 AM	Sen. Gibson
11:06:16 AM	Sen. Baxley
11:06:38 AM	Sen. Gibson
11:07:02 AM	Sen. Baxley
11:07:23 AM	Sen. Gibson
11:07:33 AM	Sen. Baxley
11:07:44 AM	Sen. Broxson
11:07:53 AM	Sen. Baxley

11:07:56 AM	Sen. Broxson
11:08:19 AM	Am. 394796
11:08:32 AM	Sen. Polsky
11:09:05 AM	Sen. Broxson
11:09:24 AM	Dr. Danielle Thomas, Vice President of Education, Florida PTA (waives in support)
11:09:31 AM	Sen. Broxson
11:09:46 AM	Sen. Passidomo
11:10:06 AM	Sen. Broxson
11:10:12 AM	Sen. Polsky
11:11:10 AM	Sen. Broxson
11:11:27 AM	Am. 606296
11:11:33 AM	Sen. Cruz
11:13:10 AM	Sen. Broxson
11:13:16 AM	Sen. Diaz
11:13:40 AM	Sen. Cruz
11:14:05 AM	Sen. Diaz
11:14:36 AM	Sen. Cruz
11:15:45 AM	Sen. Diaz
11:16:28 AM	Sen. Cruz
11:16:41 AM	Sen. Diaz
11:16:42 AM	Sen. Cruz
11:16:53 AM	Sen. Diaz
11:17:22 AM	Sen. Cruz
11:18:04 AM	Sen. Diaz
11:18:25 AM	Sen. Cruz
11:19:31 AM	Sen. Broxson
11:19:46 AM	Sen. Hutson
11:20:00 AM	Sen. Cruz
11:20:05 AM	Sen. Hutson
11:20:13 AM	Sen. Cruz
11:20:28 AM	Sen. Broxson
11:20:36 AM	Sen. Polsky
11:21:23 AM	Sen. Broxson
11:21:46 AM	Sen. Hutson
11:22:15 AM	Sen. Broxson
11:22:18 AM	Sen. Huston
11:22:45 AM	Tim Elwell, Staff Director, Education
11:22:58 AM	Sen. Broxson
11:23:12 AM	Dr. Danielle Thomas, Vice President of Education, Florida PTA (waives in support)
11:23:17 AM	Sen. Broxson
11:23:19 AM	Sen. Gibson
11:23:28 AM	Sen. Broxson
11:23:40 AM	D. Thomas
11:23:48 AM	Sen. Broxson
11:24:08 AM	Sen. Polsky
11:27:47 AM	Sen. Gibson
11:28:33 AM	Sen. Hutson
11:30:21 AM	Sen. Diaz
11:32:14 AM	Sen. Broxson
11:32:22 AM	Sen. Baxley
11:33:31 AM	Sen. Broxson
11:33:34 AM	Sen. Cruz
11:34:19 AM	Sen. Broxson
11:35:36 AM	Andrea Roush, Parent, Self
11:36:40 AM	Sen. Broxson
11:36:44 AM	A. Roush
11:37:15 AM	Sen. Broxson
11:37:31 AM	Andres Bugado, Student, Self
11:38:46 AM	Sen. Broxson
11:39:22 AM	Samantha McLoughlin, Representatives, College of Democrats
11:40:13 AM	Sen. Broxson
11:40:23 AM	Dr. Danielle Thomas, Vice President of Education, Florida PTA (waives in opposition)

11:40:27 AM	Angie Gallo, Education Advocate, Alliance for Public Schools (waives in opposition)
11:40:42 AM	Heesu Seo, Student, For Bright Futures
11:41:45 AM	Sen. Broxson
11:41:56 AM	Sadie Carlson, Student
11:43:29 AM	Sen Broxson
11:43:38 AM	Alison Roush, Student
11:45:30 AM	Sen. Broxson
11:45:49 AM	Sen. Cruz
11:49:49 AM	Sen. Broxson
11:50:24 AM	Sen. Cruz
11:50:47 AM	Sen. Broxson
11:50:52 AM	Sen. Gibson
11:53:38 AM	Sen. Hutson
11:56:17 AM	Sen. Broxson
11:56:19 AM	Sen. Diaz
11:56:49 AM	Sen. Broxson
11:57:49 AM	
11:57:51 AM	