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 Budget Subcommittee on Education Pre-K - 12 Appropriations

BILL: CS/CS/SB 1368

INTRODUCER: Budget Subcommittee on Education Pre-K - 12 Appropriations, Education Pre-K – 12 Committee, and Senator Gaetz

SUBJECT: Education

DATE: February 29, 2012 REVISED: _____ _____ _____ _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	deMarsh-Mathues	deMarsh-Mathues	ED	**Fav/CS**
2.	Armstrong	Hamon	BEA	**Fav/CS**
3.				
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

A. COMMITTEE SUBSTITUTE.....	x	Statement of Substantial Changes
B. AMENDMENTS.....		Technical amendments were recommended
		Amendments were recommended
		Significant amendments were recommended

I. Summary:

Career and Professional Education

The bill streamlines provisions included in the Career and Professional Academy law, as well as provisions for similar academies at the middle school level. The bill requires that the strategic plan developed by school districts, regional workforce boards, and postsecondary institutions include strategies for advising students, recruiting students into career-themed courses, and redirecting funding to support career academies and career-themed courses.

The bill requires one career-themed course for middle grade promotion and requires districts to adopt or develop the course. It also requires a student who enrolls in and completes a career-themed course to have opportunities to earn postsecondary credit when applicable.

The bill provides that secondary schools would no longer be required to have a full-scale career academy in order to be eligible for industry certification bonus funding. Middle school students who attain the highest level of industry certification in a science, technology, engineering, and mathematics (STEM) area on the Industry Certification Funding List would generate bonus funding upon promotion to the 9th grade.

The bill specifies the criteria that must be met for the additional full-time equivalent (FTE) bonus funding in the Florida Education Finance Program for an earned industry certification. It also phases-in increases to the appropriation cap for bonus funding for the attainment of industry certifications, while retaining the current cap for the 2012-2013 fiscal year.

High School Graduation
The bill provides each student the option of graduating early, as soon as the student has earned 24 credits that meet high school graduation requirements. Students who graduate early will continue to be able to participate in high school graduation activities.

If a student graduates early, the district will receive funding for unpaid high school credits. For students who graduate one year early, funding may be provided up to the dollar equivalent of one FTE; for students who graduate one semester early, funding may be provided up to the dollar equivalent of one-half FTE.

A student who graduates at the end of the first semester is eligible for a Bright Futures Scholarship to enter college in the spring term.

High School Grades
For purposes of calculating high school grades, the bill allows a school to earn bonus points for students who graduate early or who take additional and more rigorous STEM courses.

Performance-based Funding
The bill provides for performance-based funding. High school credits for courses that require an end-of-course (EOC) assessment, beginning with the fourth year of administering the assessment, will be funded only upon passing the assessment. In addition, credit may be funded for students who pass the statewide EOC assessment without taking the course. However, funding will continue to be limited to one FTE per school year.

The bill also creates Academically Challenging Curriculum to Enhance Learning (ACCEL) options to provide academically challenging curriculum or accelerated instruction to eligible students in kindergarten through grade 12. Districts must inform parents of the opportunities and benefits of acceleration options at the time of registering for school. Finally, the bill requires the Algebra I EOC assessment to be administered four times annually.

This bill substantially amends sections 1003.02, 1003.4156, 1003.491, 1003.492, 1003.493, 1003.4935, 1008.22, 1008.34, 1009.53, 1009.531, 1011.61, 1011.62 and creates sections 1002.3105 and 1003.4281 of the Florida Statutes.

II. Present Situation:

Science, Technology, Engineering and Mathematics (STEM)
Research by the Center on Education and the Workforce at Georgetown University found that a student's choice of major substantially affects employment prospects and earnings.[1] The study

[1] Carnevale, A.P.; Cheah, B.; and Strohl, J.; "Hard Times: College Majors, Unemployment and Earnings: Not All College Degrees are Created Equal," Georgetown University Center for Education and the Workforce, January 4, 2012.

found that "majors with high technical, business, and healthcare content tend to earn the most among both recent and experienced college graduates."[2]

According to the TechAmerica Foundation, in a ranking of states on high technology measures based on 2010 data, Florida ranked fifth in high tech employment, third in number of high tech establishments, and second in defense systems manufacturing.[3] According to a Georgetown University report analyzing STEM jobs by state, Florida will require a total of 385,010 STEM jobs by 2018,[4] and 89 percent of those jobs will require postsecondary education and training in high technology employment. Forty-nine percent of Florida's STEM jobs will be in computer occupations by 2018. The report also projects that nine percent of all Florida jobs for holders of Master's degrees and ten percent of all jobs for holders of a PhD degree will be in STEM fields by 2018. However, since 2001, there has been a 46 percent decline in bachelor's degrees earned at state universities in computer, computer services, information technology, software engineering, management information systems and related high tech fields.[5]

Prioritizing STEM in education is one of seven key steps in the Governor's 2012 Job Creation and Economic Growth Agenda.[6] The agenda calls for prioritizing STEM to focus Florida's K-12 and higher education systems on producing graduates that can support a growing high-tech workforce.[7] The agenda cites Enterprise Florida's estimate that 15 of the 20 fastest growing job fields will require a STEM education.[8]

Career and Professional Education

The Career and Professional Education (CAPE) Act was enacted by the 2007 Florida Legislature to attract and retain targeted, high-value industries and to develop a knowledge-based workforce.[9] The legislation has established significant partnerships among workforce and economic development agencies and local education communities, and resulted in meaningful career and postsecondary opportunities for Florida's secondary students.[10] Current law requires each district school board to develop, in collaboration with the local workforce board and area postsecondary institutions, a 5-year strategic plan to address and meet local and regional workforce demands.[11] A focus of the plan was the requirement for at least one operational career and professional academy per school district beginning with the 2008-09 school year.[12] As

[2] *Id.*, p. 6.
[3] http://www.techamericafoundation.org/cyberstates2011-florida.
[4] This number represents an increase of 62,450 jobs over the 2008 total of 322,560 jobs.
[5] Florida State University Learning Systems Institute using state university system data, compiled October 2011.
[6] Governor Rick Scott's 2012 Job Creation and Economic Growth Agenda, p. 2, Readable at: http://www.flgov.com/2011/10/13/2012-job-creation-economic-growth-agenda/.
[7] *Id.*, p. 6.
[8] *Id.*, p. 6.
[9] Ch. 2007-216, L.O.F.
[10] Presentation by the Department of Education, Okaloosa County School District, and St. John's County School District to the Senate Pre-K – 12 Appropriations Committee on March 15, 2011. The superintendent of schools in St. Johns County testified that the CAPE model is the most important and effective legislation of his 24-year career. Presentations available at http://www.flsenate.gov/Committees/Show/BEA/ (last visited 1/30/2012).
[11] s. 1003.491(2), F.S.
[12] s. 1003.492(2), F.S., requires the DOE to adopt rules for implementing an industry certification process. Rule 6A-6.0573, F.A.C., provides for a collaborative two-staged process by Workforce Florida, Inc. (WFI). The DOE annually establishes the Industry Certification Funding List, a subset of items included on the WFI Comprehensive Industry Certification List. References to years in this bill analysis refer to school years unless otherwise indicated.

specified in statute, career and professional academies must integrate a rigorous academic curriculum with an industry-specific curriculum that leads to an industry certification[13] in high-skill, high-wage, and high-demand occupations.[14] Additional requirements include opportunities for students to earn nationally recognized industry certifications, postsecondary credit, Bright Futures scholarships, and expanded offerings of integrated courses that combine academic content with technical skills.

Profile of Career and Professional Academies[15]
In 2010-11, the fourth year of implementation of the Florida Career and Professional Education Act, school districts registered 1,298 career and professional academies, representing all of Florida's 67 school districts.[16]

History of Secondary Career and Professional Academies

	2008-09	2009-10	2010-11
Academies Registered	490	838	1,298
CAPE Academy Enrollment	53,324	102,430	154,327

The most prevalent career areas represented by academies registered in 2009-10 were information technology, health sciences, and hospitality and tourism.[17]

Performance of Career and Professional Academy Students[18]
Among the 154,327 students enrolled in career and professional academies, 24,910 or 16.1 percent were reported as having earned one or more approved industry certifications in their high school careers beginning with the 2007-08 school year; 20,644 students earned certifications in 2010-11 alone. A total of 31,389 assessments were attempted by academy students in 2010-11, of which 23,088 were passed, resulting in a pass rate of 73.6 percent. Forty-one percent of industry certifications earned by career and professional academy students were awarded to 12th graders. Among ninth-graders, 2,887 certifications were earned, representing 12.5 percent of total certifications reported.[19]

[13] Industry certifications are based on assessment of skills by an independent, third-party certifying entity using predetermined standards for knowledge, skills and competencies. Successful completion of the assessment results in the award of a time-limited credential that is nationally recognized and applicable to an occupation included in the workforce system's targeted occupation list or otherwise determined to be an occupation that is critical, emerging or addresses a local need. See the *CAPE Enrollment and Performance Report for 2009-2010*, pg. 3, on file with the Senate Committee on Pre-K – 12 Education.
[14] s. 1003.493(4), F.S.
[15] *Id.*
[16] *Id.*
[17] *Id.*
[18] Information regarding CAPE Academy performance can be found in DOE's "Career and Professional Academy Enrollment and Performance Report, 2010-11" (December 2011), available at http://www.fldoe.org/workforce/pdf/capepr1011.pdf (last visited 1/30/2012).
[19] The progression in the number of certifications as grade level increases is expected given the time and training required to earn industry certifications.

2010-2011 Industry Certifications Earned by Grade Level[20]

Grade Level	Certifications Earned	Percent
9	2,887	12.5%
10	4,193	18.2%
11	6,468	28%
12	9,540	41.3%
Total	23,088	100.0%

Highlights of Performance Comparisons Among Non-Academy, Academy, and Industry Certified Academy Students, 2010-11[21]

Performance Indicator	Non-CAPE	CAPE, No Certification	Non-CAPE + Certification	CAPE and Certification
Average GPA	2.46	2.58	2.79	3.00
Chronically Absent	16.3%	15.7%	11.2%	9.9%
At Least One Disciplinary Action	20.6%	20.5%	12.8%	10.9%
Dropout Rate	2.1%	0.9%	0.6%	0.3%
12th Graders Earning Standard Diploma	73.9%	85.9%	93.3%	96.1%
At Least One Accelerated Course	22.9%	25.4%	38.8%	41.2%
Bright Futures Eligible Seniors 2010-11	22.4%	21.8%	31.5%	38.2%

Additionally, academy seniors earning certifications were much more likely to be Bright Futures scholarship eligible than their peers. Among academy seniors who earned at least one industry certification, 38.2 percent were eligible for Bright Futures compared to 21.8 percent among academy seniors who did not earn a certification.[22]

[20] *See* CAPE Performance Report, Table 6, p. 12. Updated information provided by staff of the DOE Office of Career and Adult Education, on file with the Senate Committee on Pre-K – 12 Education.
[21] *Id* at Table 12, p. 18.
[22] *Id*.

Middle School Model
Beginning in 2011-12, districts were required to register career and professional academies offered in middle school with the Department of Education (DOE).[23] In 2011-12, 56 middle school academies were registered with DOE.[24]

Acceleration Options
Current law requires parents to be provided with specific information about their child's educational progress and comprehensive information about their choices and opportunities for involvement in their child's education.[25] Public school choice options that are available to students include virtual instruction programs, special programs, dual enrollment, advanced placement (AP), International Baccalaureate, International General Certificate of Secondary Education (pre-AICE), Advanced International Certificate of Education (AICE), early admissions, and credit by examination or demonstration of competency.[26]

High School Graduation
Florida students entering their first year of high school may choose from one of the following five options to earn a standard diploma:[27]

- A four-year, 24-credit program;[28]
- An International Baccalaureate (IB) curriculum;[29]
- An Advanced International Certificate of Education (AICE) curriculum;[30]
- A three-year, 18-credit college preparatory program;[31] or
- A three-year, 18-credit career preparatory program.[32]

End-of Course Assessments
Beginning with students entering grade 9 in the 2011-2012 school year, a student who is enrolled in Algebra I or an equivalent course must earn a passing score on the assessment in Algebra I or

[23] Chapter 2011-175, L.O.F., established criteria for middle school career and professional academies relating to alignment to high school career and professional academies, an opportunity to earn an industry certification, and partnerships with the business community.
[24] DOE Bill Analysis for SB 1314, January 1, 2012, on file with the Senate Committee on Pre-K – 12 Education.
[25] s. 1002.23(1)(a) and (b), F.S. Pursuant to s. 1003.02(1)(i), F.S., districts must apprise parents of the benefits and opportunities of acceleration at the beginning of each school year.
[26] s. 1002.20(6)(a), F.S.
[27] A student may also graduate from high school with a GED, certificate of completion, or a special diploma.
[28] s. 1003.428, F.S. The 24 credits may be earned through applied, integrated, and combined courses approved by the DOE. Sixteen of the 24 credits are core curriculum credits: four credits in English; four credits in mathematics, one of which must be Algebra I, a series of courses equivalent to Algebra I, or a higher-level mathematics course; three credits in science, two of which must have a laboratory component; three credits in social studies; one credit in fine or performing arts, speech and debate, or a practical arts course that incorporates artistic content and techniques of creativity, interpretation, and imagination; and one credit in physical education to include integration of health. The remaining eight credits are electives. Beginning with students entering grade 9 in the 2011-2012 school year, at least one course within the 24 credits must be completed online.
[29] *Id.*
[30] *Id.*
[31] s. 1003.429(1)(a) and (b), F.S. According to the DOE, the number of high school students, from 2007-2010, choosing to graduate based on the 18-hour college preparatory program and the 18-credit career preparatory program has declined from 140 students in 2006-2007 school year to 80 students in the 2009-2010 school year. DOE Bill Analysis for SB 1368, February 1, 2012. On file with the Senate Committee on Education Pre-K – 12.
[32] s. 1003.429(1)(a) and (c), F.S.

attain an equivalent score to earn course credit.[33] For the 2011-2012 school year, the Algebra I assessment will be administered during two testing windows (December/January and April/May). The Geometry and Biology I assessments will be administered in April/May.[34]

Beginning in the 2012 -2013 school year, the Algebra I EOC Assessment will be administered three times, in July, December, and April/May. In addition, the Geometry and Biology I EOC assessments will be administered twice, in December and April/ May.

High School Grades[35]

For Florida's high school grading system, the state assessment-based components are weighted at 50 percent of the high school grade,[36] while the other 50 percent of the available school grade points are weighted toward component areas that directly measure, or are otherwise essential to, career and college readiness (i.e., graduation rate, participation and performance in advanced curricula, including national industry certifications), and postsecondary readiness in reading and mathematics.[37] These additional components for measuring high school performance were implemented beginning in 2009-2010 to provide a more comprehensive measure of high schools' effectiveness in preparing students for success after graduation.

Currently, Florida calculates high school graduation rates for schools using a cohort method of tracking individual students in and out of the system from their entrance into ninth grade through completion four years later.[38] High schools are not currently awarded additional bonus points for students who graduate early from high school. Instead, high schools are awarded points based on the annual growth of their cohort graduation rate and the growth of their cohort graduation rate for at-risk students. At-risk students are those students who scored at Level 2 or below on both the FCAT reading and FCAT math tests in grade eight.[39]

The high school grading formula does include points for accelerated course work participation for students in grades 9-12, which is based on Advanced Placement (AP), IB, AICE, dual enrollment, and industry certification[40] exams and courses.[41] High schools earn points for this component regardless of what course the student is enrolled in.[42] In addition, high schools can earn points for their students' performance in accelerated course work.[43]

[33] s. 1008.22(3)(c)2.a.(I), F.S.
[34] DOE Bill Analysis for SB 1368, February 1, 2012. On file with the Senate Committee on Education Pre-K – 12.
[35] s. 1008.34(3)(b), F.S.
[36] s. 1008.34(3)(b)1., F.S.
[37] s. 1008.34(3)(b)3., F.S.
[38] DOE Bill Analysis for SB 1368, February 1, 2012. On file with the Senate Committee on Education Pre-K – 12.
[39] s. 1008.34(3)(b)3.d., F.S.
[40] Industry courses and exams are those leading to national industry certification identified in the Industry Certification Funding List, pursuant to SBE rules.
[41] s. 1008.34(3)(b)3.b., F.S.
[42] DOE Bill Analysis for SB 1368, February 1, 2012. On file with the Senate Committee on Education Pre-K – 12.
[43] *Id.*

Florida Bright Futures Scholarship Program

The law establishes three lottery-funded scholarships to reward Florida high school graduates for high academic achievement.[44] The Florida Bright Futures Scholarship Program is comprised of the following awards:

- Florida Academic Scholars award, including Academic Top Scholars (ATS) award;
- Florida Medallion Scholars award; and
- Florida Gold Seal Vocational Scholars award.

Current law authorizes the DOE to evaluate students annually for a Bright Futures Scholarship.[45] The evaluation is based upon transcripts reflecting completed and in-progress coursework at the end of the 7th or 8th semesters, community service hours, and SAT/ACT test scores taken up to January 30th or June 30th of the student's high school graduation year.[46]

Each funded academic year begins in fall and ends with the spring term. The DOE transmits payment for each initial and renewal award to eligible postsecondary institutions before the registration period each term of each academic year.[47] The law provides for a renewal evaluation of a Bright Futures Scholar recipient after the passage of a full academic year, fall through spring.[48]

Students must apply for a scholarship by high school graduation.[49] Students file a Florida Financial Aid Application (FFAA) to be evaluated for academic eligibility for the subsequent academic year.[50] A student who graduates in the 2012-2013 academic year would file a 2013-2014 FFAA for funding during any term in the 2013-2014 academic year, which begins fall 2013.[51]

Full-Time-Equivalent (FTE) and Florida Education Finance Program (FEFP) Funding

Currently, Full-time-equivalent (FTE) students for funding purposes are based on:

- Hours of instruction (seat time) or
- If students take virtual courses, on grade promotion or course completion.

For middle and high school students, if FTE based on hours of instruction, one FTE is equal to 900 hours of instruction for the regular school year. The standard length of instruction for a course is equal to one-sixth FTE or 150 hours. Virtual courses that provide one credit are equal to one-sixth FTE.

For funding purposes, a student who takes all courses with the school district is limited to one FTE, or six courses per school year. A student may take additional courses and earn additional

[44] s. 1009.53, F.S.
[45] *Id. See* http://www.floridastudentfinancialaid.org/SSFAD/bf/awardamt.htm and http://www.floridastudentfinancialaid.org/SSFAD/factsheets/BF.htm.
[46] DOE Bill Analysis for SB 1368, February 1, 2012. On file with the Senate Committee on Education Pre-K – 12.
[47] *Id.*
[48] s. 1009.532, F.S.
[49] s. 1009.531(1)(f), F.S.
[50] s. 1009.531, F.S. *See* https://www.floridastudentfinancialaidsg.org/UA/SAWSTUA_uaform.asp.
[51] DOE Bill Analysis for SB 1368, February 1, 2012. On file with the Senate Committee on Education Pre-K – 12.

credits but the associated FTE are not fundable, unless the additional courses are taken through the Florida Virtual School. FTE may be reported and funded for summer/year-round instruction only by the Florida Virtual School or for juvenile justice education.

The base FEFP value for one course is equal to one-sixth FTE multiplied by the Base Student Allocation. For 2011-2012, the base value of the course would be equal to $3,479.22 multiplied by one-sixth, or $580.

For each student enrolled in a career and professional academy who graduates with a standard high school diploma and who earns a certification included on the Industry Certification Funding List, the district of instruction may earn up to 0.3 full-time equivalent (FTE) student membership for the following year's funding calculation in the Florida Education Finance Program (FEFP).[52] In 2010-11, 9,712 students generated 2,913.6 additional FTE in the K-12 funding formula.[53] Because the funding is awarded in the fiscal year following high school graduation, the data reported for 2009-10 is used for the 2010-11 FEFP calculation.[54]

III. Effect of Proposed Changes:

Career and Professional Education
The bill streamlines provisions included in the CAPE law, as well as provisions established in 2011 for similar academies at the middle school level. The bill provides for greater access to attainment of industry certifications in high demand fields, thus supporting critical workforce needs and providing an economic benefit to the state.

Under the bill:

- Secondary schools would no longer be required to have in place a full-scale career academy in order to be eligible for industry certification bonus funding. This provision maintains the integrity of CAPE and the rigorous coursework required for attainment of industry certifications, but removes additional, non-essential steps required of schools to earn the bonus funding.
- Secondary schools would still be required to offer rigorous courses that lead to industry certifications in high wage, high skill, and high demand occupations and to employ instructors who hold industry certifications.
- The strategic 5-year plan developed by the school district in collaboration with regional workforce boards and postsecondary institutions determines areas of academic emphasis to meet workforce needs. Under the bill, there would now be a 3-year plan. This provision allows for a more timely response to meet critical workforce needs.
- The 3-year plan would also encompass additional strategies, including strategies for providing personalized student advisement, plans to sustain and improve career-themed courses and career and professional academies, strategies to recruit students into the

[52] Section 1011.62(1)(p), F.S. Certifications earned through dual enrollment are not eligible for additional FTE. The additional FTE may not exceed 0.3 per student (i.e., no repeat allocations for additional certifications).
[53] Information provided by staff of the DOE Office of Career and Adult Education, January 20, 2012. On file with the Senate Committee on Pre-K – 12 Education.
[54] *Id.*

career-themed courses, and strategies to redirect appropriate funding to support such programs.
- The curriculum review committee, responsible to review and approve newly developed workforce-related courses, must now approve or deny proposals within 30 days instead of 60.
- Middle school students would be required to complete a career-themed course with specified content prior to promotion to the 9th grade. The course may be developed or adopted by the school district, must emphasize the use of instructional technology tools, and include information from the Department of Economic Opportunity regarding educational requirements, employment trends, and forecasted earnings for jobs projected for the future.
- The State Board of Education must adopt rules to identify STEM-related industry certifications to be included on the Industry Certification Funding List.

Based on the requirements in s. 1011.62(1)(o), F.S., a student must meet all of the following conditions for the additional FTE membership funding for an earned industry certification:
- Be enrolled in career-themed courses or a career and professional academy that leads to industry certification;
- Attain the highest level of certification on the Industry Certification Funding List; and
- Receive a standard high school diploma or be promoted to the 9th grade.[55]

High School Graduation
The bill allows a student to graduate early, providing the minimum graduation requirements in s. 1003.428, F.S., have been satisfied. School districts would be required to notify the parent of a student who is eligible to graduate early.

A student who graduates early may continue to participate in school activities and events as if he or she was still enrolled, until the time at which the student would have been scheduled to satisfy the minimum graduation requirements. However, a student who fails to comply with district school board rules and policy may be denied access to the school facilities and grounds during normal operating hours.

End-of Course Assessments
The proposed change will require the DOE and school districts to administer the Algebra 1 EOC assessment four times annually.[56] According to the DOE, this would require amending the current assessment contract to include the additional test administration. The DOE notes that the earliest this could be accomplished would be the 2013-2014 school year when the necessary funding is approved and the contract is modified.[57]

The changes for Algebra I and Geometry EOC assessments would be in place for one year since the state transitions to the Partnership for Assessment of Readiness for College and Careers

[55] Middle school students who attain an industry certification in a STEM-related area would be eligible for the bonus funding upon promotion to the 9th grade.
[56] Currently, there are six statewide assessment administrations: Writing in February/March; Reading, Math, Science in April; FCAT/FCAT 2.0 Retakes in October; and the EOC assessments in December, July/August, and April/May). DOE Bill Analysis for SB 1368, February 1, 2012. On file with the Senate Committee on Education Pre-K – 12.
[57] *Id.*

(PARCC) assessments in 2014-2015. The PARCC assessments are based on the Common Core Standards and are scheduled to be fully implemented in the 2014-2015 school year.[58]

High School Grades

Beginning in the 2012-2013 school year, the DOE must award bonus points for regular high school course completion data for the percentage of students who took additional courses in science[59] and mathematics[60] that exceed the current high school graduation requirements. According to the DOE, this may result in a school encouraging students to enroll in additional courses not required for graduation to increase the points the school earns for the non-FCAT portion of the high school grade calculation.[61] However, the bill requires the courses to be at a level of rigor that exceeds the general course requirements for high school graduation in s. 1003.428, F.S.

Currently, high schools are awarded points for participation and performance in accelerated coursework.[62] The proposed change would allow for the award of additional points to high schools if students take an AP or dual enrollment course in mathematics or science. Also, the DOE would award bonus points to high schools based on the percentage of students who graduate in fewer than eight semesters.

The DOE may have to revise its method of counting students who graduate early. The DOE notes that an annual count of the early graduates could be used for the bonus point calculation required by the bill, instead of the cohort count currently used, because students who graduate early are not counted in the graduation rate until their four-year cohort graduation rate is calculated.[63]

Acceleration Options

The bill provides Academically Challenging Curriculum to Enhance Learning (ACCEL) options for accelerated instruction to eligible public school students in kindergarten through grade 12. At a minimum, schools must offer options that include enriched STEM courses, virtual instruction, credit and subject matter acceleration, early promotion, enrichment programs, grouping students

[58] *Id.*

[59] Beginning with students entering grade 9 in the 2011-2012 school year, one of the three credits in science must be Biology I or a series of courses equivalent to Biology I. Beginning with students entering grade 9 in the 2011-2012 school year, the EOC assessment requirements must be met for a student to earn the required credit in Biology I. Beginning with students entering grade 9 in the 2013-2014 school year, one of the three credits must be Biology I or a series of courses equivalent to Biology I, one credit must be chemistry or physics or a series of courses equivalent to chemistry or physics, and one credit must be an equally rigorous course. The series of equivalent courses must be approved by the State Board of Education (SBE).

[60] Beginning with students entering grade 9 in the 2010-2011 school year, in addition to the Algebra I credit requirement, one of the four credits in mathematics must be geometry or a series of courses equivalent to geometry. Beginning with students entering grade 9 in the 2010-2011 school year, the EOC assessment requirements must be met for a student to earn the required credit in Algebra I. Beginning with students entering grade 9 in the 2011-2012 school year, the EOC assessment requirements must be met for a student to earn the required credit in geometry. Beginning with students entering grade 9 in the 2012-2013 school year, in addition to the Algebra I and geometry credit requirements, one of the four credits in mathematics must be Algebra II or a series of courses equivalent to Algebra II. The series of equivalent courses must be approved by the SBE.

[61] E-mail, DOE, February 16, 2012. On file with the Senate Committee on Education Pre-K – 12.

[62] s. 1008.34, F.S.

[63] DOE Bill Analysis for SB 1368, February 1, 2012. On file with the Senate Committee on Education Pre-K – 12.

with similar needs, abilities, and interests, advanced academic courses, classes in which younger students interact with their older peers, increased time for advanced content instruction, and self-paced student course completion.

Principals are charged with establishing eligibility options for specific acceleration options, such as virtual instruction in higher grade level subjects. Districts would be required to determine eligibility requirements for student participation in options at another school. In establishing eligibility requirements, principals and school districts would consider student performance on local, statewide or standardized assessments, grade point average, attendance and conduct, and recommendations from a core-curricula teacher and guidance counselor.

Under the bill, principals would inform parents about the eligibility requirements and options available at the school. If a parent requests that his or her child participate in options such as early promotion, subject matter acceleration, or virtual instruction, the child, if eligible, must be afforded an opportunity to participate. Similarly, an eligible child must be afforded an opportunity to participate in options available at another school.

A performance contract is required when a student participates in specific options available at the school. Parties to the contract are the parent, student, and principal. The bill specifies the components of the contract.

Finally, the bill provides that a parent must be notified if a school principal initiates participation in an acceleration option.

Florida Bright Futures Scholarship Program

The DOE would evaluate students who graduate at midpoint of an academic year based upon official transcripts reflecting completed and in progress coursework, community service hours, and SAT/ACT test scores for academic eligibility for the spring term of that same academic year. The DOE would transmit payment for each initial award to eligible postsecondary institutions before the registration period for spring term.

Eligible Bright Futures students who graduate midpoint of an academic year and are funded in the spring term of that same academic year would be evaluated for renewal of an award at the end of the following spring term of the next academic year in which they are funded.

According to the DOE, students currently file the Florida Financial Aid Application (FFAA) between December 1st and high school graduation up through August 31st of an academic year for evaluation for academic eligibility for the subsequent academic year.[64] Students who graduate at the midpoint of an academic year will be required to file the FFAA by August 31st for academic eligibility and funding during the remainder of that academic year. The student who graduates midpoint of the 2012-13 academic year would file a 2012-13 FFAA for funding in the 2012-13 academic year.[65]

[64] *Id.*
[65] *Id.*

The Bright Futures Scholarship applicants would be required to file the FFAA for evaluation of scholarship academic eligibility. Applicants would also need to file the Free Application for Federal Student Aid (FAFSA) to receive funding.

Full-Time-Equivalent (FTE) and Florida Education Finance Program (FEFP) Funding
Under the bill, a student who graduates at least one semester in advance of the scheduled graduation of the student's cohort earns one-sixth of an FTE for each unpaid high school credit. For a student who graduates one year or more in advance of the student's cohort, the school district may report up to 1.0 FTE for unpaid high school credits. For a student who graduates one semester in advance of the student's cohort, the school district may report up to one-half FTE for unpaid high school credits.

Currently, FTE for the funding of student instruction for traditional courses is based on hours of instruction or seat time. For virtual courses, FTE funding is based on course completion or grade progression. The bill revises FTE funding for traditionally-delivered courses that culminate in an end-of-course (EOC) exam beginning with the fourth year of exam administration. Students who take courses with EOC assessments will earn one-sixth FTE only upon completion of the exam and the award of the course credit. In addition, if a student takes and passes the EOC, without having taken the course, the student will also earn one-sixth FTE. All reported FTE will continue to be subject to the 1.0 FTE limit.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

The bill provides for greater access to attainment of industry certifications in high demand fields, thus supporting critical workforce needs and providing an economic benefit to the state.

C. Government Sector Impact:

High School Graduation
Under the bill, a student who graduates at least one semester in advance of the scheduled graduation of the student's cohort earns one-sixth of an FTE for each unpaid high school credit. For a student who graduates one year or more in advance of the student's cohort, the school district may report up to 1.0 FTE for unpaid high school credits. For a student who graduates one semester in advance of the student's cohort, the school district may report up to one-half FTE for unpaid high school credits. For 2011-2012, the value of one-sixth FTE for a student is $580; for a full FTE, the value is $3,479.

If a student graduates early, the district may earn funding for FTE for courses taken and completed for credit during prior high school years that were in excess of the 1.0 FTE limit and therefore had not been funded. The district will receive the funding for these unpaid credits and will not have the cost of educating the student for an additional semester/year. The funding for unpaid credits earned for early graduation could approximate the funding foregone as a result of early graduation.

Performance-based Funding
The bill revises FTE funding for traditionally-delivered courses that culminate in an end-of-course exam (EOC). Beginning with the fourth year of exam administration, students who take courses with EOC assessments will earn one-sixth FTE only upon completion of the exam and the award of the course credit. Districts will not receive funding if the student does not pass the EOC. However, if a student takes and passes the EOC without having taken the course, the student will also earn one-sixth FTE and the district will not have the cost associated with educating the student for the course. All reported FTE will continue to be subject to the 1.0 FTE funding limit.

The DOE's estimated cost for the additional EOC assessment administration for Algebra I is $750,000. The DOE notes that funds would need to be allocated for a full-time staff member to assist with additional administration, scoring, and reporting responsibilities.[66] The proposed change would increase the testing load in school districts.[67]

In addition, School Recognition funding may be revised for schools to the extent that the school grade is affected by the bonus point criteria that are added in the bill for students who graduate early and who earn credit for additional and more rigorous math and science courses.

Career and Professional Education Funding
The bill maintains the 2011-2012 cap on the amount of bonus funding provided to districts in the Florida Education Finance Program (FEFP) at $15 million for students who attain industry certification and graduate or who are promoted to the 9th grade. The current year bonus amount earned in the FEFP is $10.1 million which represents the greatest level of funding for the program since inception in 2008-2009. The bill will

[66] DOE Bill Analysis for SB 1368, February 1, 2012. On file with the Senate Committee on Education Pre-K – 12.
[67] *Id.*

increase access for students to achieve industry certification which will increase the level of the bonus funding in an already-growing program. However, in 2012-13, the tiered bonus will begin to take place which will somewhat temper the level of the bonus funding. After 2012-2013, the bill then increases the funding cap by $5 million each year for succeeding years for a total cap of $20 million in 2013-2014, $25 million in 2014-2015, and $30 million in 2014-2015 in anticipation of continued significant growth in the program.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:

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

CS/CS by Budget Subcommittee on Education Pre-K - 12 Appropriations on February 28, 2012:
The committee substitute:

- Provides that middle school students who attain the highest level of industry certification in a STEM area on the Industry Certification Funding List would generate bonus funding upon promotion to the 9th grade;
- Specifies the criteria that must be met for the additional FTE bonus funding for an earned industry certification:
  - Enrollment in career-themed courses, a series of career-themed courses, or a career and professional academy that lead to industry certification;
  - Earning the highest level of certification on the Industry Certification Funding List; and
  - Receiving a standard high school diploma or being promoted to the 9th grade.
- Phases-in increases to the appropriation cap for bonus funding for the attainment of industry certifications ($20 million in 2013-2014, $25 million in 2014-2015, and $30 million in 2015-2016) and maintains the current cap ($15 million) for the 2012-2013 fiscal year;
- Requires that the strategic plan developed by school districts, regional workforce boards, and postsecondary institutions be developed every three years rather than every five years and includes strategies for advising students, recruiting students into career-themed courses, and redirecting funding to support career academies and career-themed courses;
- Shortens the timeline for the curriculum review committee to approve or deny newly proposed workforce-related core courses;

- Requires one career-themed course for middle grade promotion and requires districts to adopt or develop the course;
- Requires a student who enrolls in and completes a career-themed course to have opportunities to earn postsecondary credit when applicable;
- Requires the State Board of Education to adopt rules that include STEM industry certifications offered in middle school on the Industry Certified Funding List;
- Deletes the Advanced Placement Program provisions from the bill; and
- Provides that the new schedule for the administration of the Algebra I end-of-course assessment would begin in the 2013-2014 school year.

CS by the Committee on Education Pre-K – 12 on February 14, 2012:
The committee substitute:

- Creates ACCEL options to provide academically challenging curriculum or accelerated instruction to eligible students in kindergarten through grade 12; and
  - Requires principals and school districts to establish eligibility requirements for ACCEL options; and
  - Allows a parent to request that his or her child participate in an ACCEL option;
- Requires districts to inform parents of the opportunities and benefits of acceleration options when registering for school;
- Establishes student eligibility requirements for participation in the AP program;
- Revises the date, from November 30th to August 31st, for the submission of a Florida Financial Aid Application by a student who graduates early from high school and applies for a Bright Futures Scholarship; and
- Makes technical changes to the FTE reporting requirements for students who take courses requiring statewide EOC assessments and students who graduate early from high school.

B. Amendments:

None.