

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/SB 1418 (146376)
INTRODUCER: Senators Simmons and Garcia
SUBJECT: Supplemental Academic Instruction
DATE: February 17, 2016 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Scott	Klebacha	ED	Favorable
2.	Sikes	Elwell	AED	Recommend: Fav/CS
3.			AP	

Please see Section IX. for Additional Information:

COMMITTEE SUBSTITUTE - Substantial Changes

I. Summary:

PCS/SB 1418 modifies and extends the requirement of providing an additional hour of daily intensive reading instruction to students enrolled in elementary schools identified as the lowest-performing.

Specifically, the bill:

- Extends the requirement through the 2016-2017 fiscal year.
- Requires the 100 lowest-performing elementary schools to provide at least 40 hours of the instruction in a 2017 summer program to students who have Level 1 or Level 2 reading assessment scores.
- Allows students enrolled in the 300 lowest-performing elementary schools who have Level 5 reading assessment scores to participate in the additional hour of instruction on an optional basis.
- Requires a school district to provide 180 hours of additional instruction through a district-adopted plan for students who have Level 1 or Level 2 reading assessment scores at any elementary school that is one of the 300 lowest-performing, but not one of the 100 lowest-performing.

Funding for the additional hour of intensive reading instruction at the lowest-performing elementary schools is provided in the supplemental academic instruction and the research-based reading instruction allocation categoricals within the Florida Education Finance Program (FEFP). The Senate General Appropriations Bill for Fiscal Year 2016-2017, SB 2500, requires

school districts to spend at least \$90 million from these categorical programs and other funding sources and provides an additional \$53 million for the supplemental academic instruction categorical to fund the additional hour of intensive reading instruction.

The bill provides for an effective date of July 1, 2016.

II. Present Situation:

Intensive Reading Instruction

Supplemental Academic Instruction Categorical Fund

In 1999, the Legislature created the Supplemental Academic Instruction (SAI) Categorical Fund as part of the A+ Education Plan¹ for the purpose of assisting school districts in providing supplemental instruction to students in kindergarten through grade 12.² The SAI fund was created to:³

- Address the school districts' requests for more flexibility; and
- Provide additional resources to districts to help students gain at least a year's worth of knowledge for each year in school.

A school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment is required to provide an additional hour of intensive reading instruction beyond the normal school day for each day of the entire school year in those schools.⁴ The additional hour of instruction must be provided by teachers or reading specialists who are effective in teaching reading or by a K-5 mentoring reading program that is supervised by a teacher who is effective in teaching reading.⁵ Students who score Level 5 on the assessment may opt to participate in the additional hour of instruction.⁶

Supplemental instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help that student progress from grade to grade and to graduate.⁷

Supplemental instructional strategies may include, but are not limited to:⁸

- Modified curriculum;
- Reading instruction;
- After-school instruction;

¹ Section 23, ch. 99-398, L.O.F.

² Florida House of Representatives, Council for Lifelong Learning, *Supplemental Academic Instruction Fact Sheet* (Sept. 2001) available at

<http://archive.flsenate.gov/data/publications/2002/house/reports/EdFactSheets/fact%20sheets/supplementalacademicinstruction.pdf>.

³ *Id.* Prior to the SAI fund, school districts were given resources for summer school and supplemental instruction with more restrictive funds. *Id.* The following funding sources were combined to become a portion of the SAI fund: K-8 summer school categorical, 9-12 FTE funds for summer school, and the weighted portion of dropout prevention funds. *Id.*

⁴ Section 1011.62(1)(f), F.S.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

- Tutoring;
- Mentoring;
- Class size reduction;
- Extended school year;
- Intensive skills development in summer school; and
- Other methods for improving student achievement.

The SAI funds are allocated annually in the amount provided in the General Appropriations Act (GAA), and are in addition to funds appropriated on the basis of full-time equivalent (FTE) student membership in the Florida Finance Education Program (FEFP).⁹ For the 2015-2016 fiscal year, school districts with one or more of the 300 lowest-performing elementary schools based on the statewide, standardized English Language Arts (ELA) assessment were required to use at least \$75 million in SAI funds for the required additional hour of intensive reading instruction.¹⁰

Research-Based Reading Instruction Allocation

In addition to the SAI categorical fund, school districts may use funds from the research-based reading instruction allocation to provide comprehensive reading instruction to students in kindergarten through grade 12.¹¹ The funds must be used to provide a system of comprehensive reading instruction to K-12 students which may include providing:¹²

- An additional hour per day of intensive reading instruction to students in the 300 lowest-performing elementary schools¹³ by teachers and reading specialists who are effective in teaching reading.
- Intensive intervention during the school day and in the required extra hour for students identified as having a reading deficiency through K-5 reading intervention teachers.
- 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 area based on student need.
- Professional development for school district teachers in scientifically based reading instruction, including strategies to teach reading in content areas and with an emphasis on technical and informational text.
- Summer reading camps for all K-2 students who demonstrate a reading deficiency and students in grades 3-5 who score at Level 1 on the statewide, standardized reading assessment or ELA assessment.
- Supplemental instructional materials grounded in scientifically based reading research.
- Intensive interventions for K-12 students who have been identified as having a reading deficiency or who are reading below grade level.

⁹ *Id.*

¹⁰ Section 2, ch. 2015-232, L.O.F. The 300 lowest-performing schools were the same schools as identified for the 2014-2015 fiscal year. *Id.* See also s. 7, ch. 2015-222, L.O.F.

¹¹ Section 1011.62(9), F.S.

¹² *Id.* at (9)(c).

¹³ For the 2015-2016 fiscal year, the 300 lowest-performing schools were the same schools identified as such for the 2014-2015 fiscal year. Section 7, ch. 2015-222, L.O.F.

School districts must annually submit a K-12 comprehensive reading plan to the Department of Education (DOE) for the specific use of the allocation.¹⁴ The Just Read, Florida! Office within the DOE reviews and approves the district's plan.¹⁵ School districts have flexibility in developing their plans and are encouraged to offer reading intervention through innovative methods.¹⁶ One hundred percent of the research-based reading instruction allocation must be used to implement a school district's approved plan.¹⁷

For the 2015-2016 fiscal year, school districts with one or more of the 300 lowest-performing elementary schools based on the statewide, standardized ELA assessment were required to use at least \$15 million of the research-based reading instruction allocation¹⁸ for the required additional hour of intensive reading instruction.

III. Effect of Proposed Changes:

PCS/SB 1418 modifies and extends the requirement of providing an additional hour of daily intensive reading instruction to students enrolled in elementary schools identified as the lowest-performing.

Specifically, the bill:

- Extends the requirement through the 2016-2017 fiscal year, which is set to expire July 1, 2016.
- Requires the 100 lowest-performing elementary schools to provide at least 40 hours of the instruction in a 2017 summer program to students who have Level 1 or Level 2 reading assessment scores.
- Allows students enrolled in the 300 lowest-performing elementary schools who have Level 5 assessment scores to participate in the additional hour of instruction on an optional basis.
- Requires a school district to provide 180 hours of additional instruction through a district-adopted plan for students who have Level 1 or Level 2 reading assessment scores at any elementary school that is one of the 300 lowest-performing, but not one of the 100 lowest-performing.

The bill extends the requirement of providing an additional hour of daily intensive reading instruction through the 2016-2017 fiscal year. Currently, the requirement applies only for the 2015-2016 fiscal year pursuant to s. 7, ch. 2015-222, L.O.F., which implemented the 2015 General Appropriations Act. The amendments made to s. 1011.62, F.S., in SB 2502-A (2015) are scheduled to expire July 1, 2016.¹⁹

The bill requires that each school district that has one or more of the 300 lowest-performing elementary schools based on the state reading assessment use funds from the Supplemental Academic Instruction and Research-Based Reading Instruction Allocation categoricals to

¹⁴ Section 1011.62(9)(d), F.S. *See also* Rule 6A-6.053, F.A.C.

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ Specific Appropriations 7 and 90, s. 2, ch. 2015-232, L.O.F. The amount of \$115,000 was allocated to each district and the remaining balance allocated based on each district's proportion of the total K-12 based funding. *Id.*

¹⁹ Section 9, ch. 2015-222, L.O.F.

provide an additional hour of instruction beyond the normal school day of the entire school year for intensive reading instruction for students in those schools.

The bill requires the 100 lowest-performing elementary schools to provide at least 40 hours of instruction in a 2017 summer program to students who have Level 1 or Level 2 reading assessment scores.

For elementary schools identified as one of the 300 lowest-performing in reading, but not one of the 100 lowest-performing, the bill requires a school district to provide additional instruction through a plan adopted by the local school district. At a minimum, the plan must include 180 hours of additional instruction for students who have Level 1 or Level 2 reading assessment scores, and must be submitted to the Department of Education.

Additionally, the bill provides students enrolled in these schools who have Level 5 assessment scores the option of participating in the additional hour of instruction if they choose. The bill also specifies that for the 2016-2017 fiscal year, the 300 lowest-performing elementary schools must be the same schools as those identified for the 2015-2016 fiscal year, and must not include exceptional student education centers.

The bill provides for an effective date of July 1, 2016.

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:

None.

C. Government Sector Impact:

Funding for the additional hour of intensive reading instruction at the lowest-performing elementary schools is provided in the supplemental academic instruction and the

research-based reading instruction allocation categoricals within the Florida Education Finance Program (FEFP). The Senate General Appropriations Bill for Fiscal Year 2016-2017, SB 2500, requires school districts to spend at least \$90 million from these categorical programs and other funding sources and provides an additional \$53 million for the supplemental academic instruction categorical to fund the additional hour of intensive reading instruction.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

The bill substantially amends the following sections of the Florida Statutes: 1011.62.

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

Recommended CS by Appropriations Subcommittee on Education on February 17, 2016:

The committee substitute clarifies that supplemental academic instruction and research-based reading allocation categorical funds are to be used to provide an additional hour of instruction in the 300 lowest-performing elementary schools, not just the 100 lowest-performing elementary schools.

B. Amendments:

None.