

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/CS/HB 773 Education

**SPONSOR(S):** Education Committee; PreK-12 Appropriations Subcommittee; Diaz, Jr; Sprowls and others

**TIED BILLS:** None **IDEN./SIM. BILLS:** CS/SB 926, SB 906, SB 1474. CS/SB 1598. SB 656, SB 692

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
1) PreK-12 Quality Subcommittee	14 Y, 0 N	Brink	Duncan
2) PreK-12 Appropriations Subcommittee	10 Y, 5 N, As CS	Seifert	Potvin
3) Education Committee	16 Y, 1 N, As CS	Brink	Hassell

### SUMMARY ANALYSIS

The bill revises requirements related to the statewide assessment program by:

- revising the requirements related to the Algebra II end-of-course (EOC) assessment;
- revising assessment windows for statewide, standardized assessments to move administration later in the year and, for certain assessments, during the last 4 weeks of a district's school calendar;
- requiring results from the statewide, standardized English Language Arts (ELA) and mathematics assessments to be provided timely in an easy-to-read report;
- moving the date by which the Commissioner of Education must publish the uniform assessment calendar each year from August to January so districts can adjust their calendars to administer assessments during the last 4 weeks and within the assessment windows;
- requiring the commissioner to publish statewide, standardized assessments every 3 years; and
- requiring the commissioner to contract for an independent study to determine whether the ACT and SAT can be used in lieu of certain statewide, standardized high school assessments and requires the commissioner to report findings and recommendations by January 1, 2018.

The bill also:

- requires third-party analysis of student learning growth data and development of a data visualization tool to help teachers and administrators understand and use the data;
- establishes a competency-based mentorship pathway for a professional educator certificate;
- streamlines the temporary certificate application process;
- provides for training in effective, evidence-based reading instruction and intervention strategies;
- requires teacher training on integrating content to develop student background knowledge;
- provides that all K-12 students, including home education and private school students, are eligible for full-time and part-time virtual instruction programs;
- expressly provides that school board members may visit a district school without an appointment;
- revises provisions related to the online course requirement for high school students;
- revises provisions relating to the use of instructional materials allocation funds;
- eliminates the middle grades career and education planning requirement;
- eliminates statutory caps on certain teacher bonuses;
- revises eligibility requirements for postsecondary dual enrollment program providers;
- repeals State Board of Education rulemaking authority related to competency-based education;
- clarifies when the controlled open enrollment process applies to charter schools; and
- revises requirements related to school improvement strategies.

The bill appropriates \$339,611 in nonrecurring General Revenue for the assessment study and appropriates recurring General Revenue as follows: \$1,247,251 for the assessment report; \$11.2 million to implement paper-based assessments for grades 3-6; \$3.4 million for student learning growth analysis; and \$3,085,978 for the release of assessments. Please see FISCAL ANALYSIS & ECONOMIC IMPACT, *infra*.

Except as otherwise provided in the bill, the bill takes effect July 1, 2017.

**This document does not reflect the intent or official position of the bill sponsor or House of Representatives.**

**STORAGE NAME:** h0773e.EDC

**DATE:** 4/25/2017

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. EFFECT OF PROPOSED CHANGES:

##### **Statewide, Standardized Assessments**

###### Present Situation

###### *Assessments and Assessment Schedules*

Florida's statewide assessment program is used to measure the extent to which students have mastered Florida's academic content standards.<sup>1</sup> It includes comprehensive, grade level assessments, end of course (EOC) assessments, and alternate assessments for students with significant cognitive disabilities.<sup>2</sup> The grade-level English language arts (ELA) and mathematics assessments and Algebra I, Geometry, and Algebra II EOC assessments are referred to as the Florida Standards Assessments (FSA). EOC assessments count as 30 percent of a student's final course grade.<sup>3</sup>

Results from the assessments are used to calculate school grades and school improvement ratings<sup>4</sup> and determine student readiness for promotion to 4<sup>th</sup> grade and high school graduation.<sup>5</sup> In addition, school districts use student performance data from the assessments in the performance evaluations for instructional personnel and school administrators.<sup>6</sup>

Florida and federal law both require that all public school students annually participate in statewide, standardized ELA and mathematics assessments beginning in the 3<sup>rd</sup> grade.<sup>7</sup> Federal law requires that students participate in a standardized science assessment at least once in grades 3 through 5, 6 through 9, and 10 through 12.<sup>8</sup> The requirements for students in Florida are as follows:<sup>9</sup>

- ELA
  - Grades 3-10: annual participation in the FSA-ELA
- Math
  - Grades 3-8: annual participation in the mathematics FSA
  - High school:
    - Algebra I EOC and Geometry assessments
    - (If enrolled) Algebra II EOC assessment
- Science
  - Grades 5 and 8: Statewide Science Assessment
  - High school: Biology I EOC assessment
- Social Studies
  - Middle school: Civics EOC assessment
  - High school: U.S. History EOC assessment

By August of each year, the Commissioner of Education must publish a uniform assessment calendar on the Department of Education (DOE) website that includes assessment and reporting schedules for

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<sup>1</sup> See Florida Department of Education, *ESEA Flexibility Request* (August 21, 2015) at 98, available at <http://www.fldoe.org/core/fileparse.php/5637/urlt/15WaiverRenewalESEA.pdf>.

<sup>2</sup> See s. 1008.22(3), F.S.

<sup>3</sup> Sections 1003.4156(1)(c)-(d) and 1003.4282(3), F.S.

<sup>4</sup> See ss. 1008.34 and 1008.341, F.S.

<sup>5</sup> See ss. 1008.25(5) and 1003.4282(3)(a) and (b), F.S.

<sup>6</sup> See s. 1012.34(3)(a)1., F.S.; rules 6A-5.030(2)(a), F.A.C.

<sup>7</sup> See s. 1008.22(3)(a); 20 U.S.C. s. 6311(b)(2)(v)(I).

<sup>8</sup> See 20 U.S.C. s. 6311(b)(2)(B)(v)(II).

<sup>9</sup> See s. 1008.22(3)(a) and (b), F.S.

the next 2 school years.<sup>10</sup> Results for all statewide, standardized assessments, including EOC assessments, must be made available no later than the week of June 8. School districts must administer the assessments in accordance with the assessment schedule established by the commissioner.<sup>11</sup>

The assessment calendar consists of testing windows, or the range of dates during which districts and schools may choose to administer a given assessment.<sup>12</sup> Inside of the state window, districts establish their own windows during which the district will administer a given assessment.

<b>Spring 2017 Assessments (Regular Administration)<sup>13</sup></b>	
February 27-March 3, 2017	Grades 4-7 English Language Arts – Writing
February 27-March 10, 2017	Grades 8-10 English Language Arts – Writing
March 27-April 7, 2017	Grade 3 English Language Arts – Reading
April 10-May 12, 2017	Grades 4-10 English Language Arts – Reading Grades 3-8 Mathematics
April 17-May 12, 2017	Algebra I, Geometry, Algebra II EOC Assessments
April 17-May 19, 2017	Biology I, Civics, U.S. History EOC Assessments
May 1-5, 2017	Grades 5 & 8 Science

### *Computer-Based Testing*

The law has required the gradual transition to computer-based assessments beginning with the 2015-2016 school year.<sup>14</sup> Currently, all assessments, except the 3<sup>rd</sup> grade ELA assessment, the writing portion of the ELA assessment for grades 4 through 7, and the grades 5 and 8 science assessments, are administered on computers. The 3<sup>rd</sup> grade ELA assessment will be administered as a computer-based test beginning with the 2017-2018 school year.<sup>15</sup> A student may take a paper-based assessment if indicated by his or her individual education plan as a necessary accommodation.<sup>16</sup> Windows for EOC assessments are longer than windows for comprehensive, grade-level tests to allow more flexibility for middle schools and high schools to administer the assessments.<sup>17</sup>

Use of computer-based testing provides for a shorter scoring process but requires a longer testing window based on the available facilities and testing devices at each participating school. The writing portion of the ELA assessment includes hand scoring by human graders. This requires the window to open earlier than other assessment windows so that scores can be calculated in time to meet statutory deadlines.<sup>18</sup> The 3<sup>rd</sup> grade ELA assessment is also administered earlier so that decisions related to 4<sup>th</sup> grade promotion can be made prior to the completion of the school year.

<sup>10</sup> Section 1008.22(7)(b), F.S.

<sup>11</sup> Section 1008.22(7)(a), F.S.

<sup>12</sup> Florida Department of Education, *2016-2017 Uniform Statewide Assessment Calendar* (2016), available at <http://fldoe.org/core/fileparse.php/5663/urlt/K12UniformAssessmentCalendar16-17.doc>.

<sup>13</sup> Florida Department of Education, *Florida Statewide Assessment Program 2016-2017 Schedule* (2016), available at <https://info.fldoe.org/docushare/dsweb/Get/Document-7514/dps-2015-175a.pdf>.

<sup>14</sup> See s. 1008.22(3)(d)1., F.S. See also Florida Department of Education, *Florida's Transition to Computer-Based Testing for Statewide Assessments 2014-18* (2016), available at <https://info.fldoe.org/docushare/dsweb/Get/Document-7048/dps-2014-81b.pdf>.

<sup>15</sup> See *id.* The grade 3 ELA assessment does not include a separate writing component.

<sup>16</sup> Florida Department of Education, *Computer-based Testing*, <http://www.fldoe.org/accountability/assessments/k-12-student-assessment/computer-based-testing.stml> (last visited Mar. 13, 2017).

<sup>17</sup> Email, Florida Department of Education, Bureau of K-12 Student Assessment (Nov. 3, 2016).

<sup>18</sup> *Id.*

## Graduation Requirements

To graduate from high school with a standard high school diploma, a student must successfully complete 24 course credits and participate in EOC assessments for Algebra I, Geometry, Biology, and U.S. History. Students must also participate in 9<sup>th</sup> and 10<sup>th</sup> grade statewide, standardized assessments for ELA. Students must pass the Algebra I EOC assessment and the 10<sup>th</sup> grade statewide, standardized ELA assessment, or earn a concordant or comparative score on the SAT, ACT, or PERT, as applicable, to graduate.

## Other Requirements

In addition, school districts must participate in national and international comparison assessments, such as the National Assessment of Educational Progress (NAEP),<sup>19</sup> Trends in International Mathematics and Science Study, Program for International Student Assessment, Progress in International Reading Literacy Study, and International Computer and Information Literacy Study.<sup>20</sup> All Students with disabilities, except for students with an approved medical complexity or extraordinary exemption waiver, must participate in the statewide, standardized assessments.<sup>21</sup> Students with significant cognitive disabilities may be eligible to take the Florida Standards Alternate Assessment, which measures student academic performance on the state's academic standards using access points.<sup>22</sup>

## Reporting Student Assessment Results

The law requires that state assessment contracts entered into or renewed after April 14, 2015, must provide for a student's performance on state assessments to be provided to the student's teachers and parents by the end of the school year, unless the Commissioner of Education determines that extenuating circumstances exist and reports the circumstances to the State Board of Education.<sup>23</sup> The law also requires that assessment and reporting schedules must provide the earliest possible reporting of student assessment results to school districts.<sup>24</sup>

The law does not specify what information must be included when assessment results are provided to teachers or parents; however, sample reports are currently provided on the DOE website.<sup>25</sup> The report for the 3<sup>rd</sup> grade ELA assessment includes the achievement level the student earned on the assessment, the number of points possible and points earned in each "reporting category," and the percentage of students in the school, district, and state at each achievement level for the assessment.<sup>26</sup>

## Effect of Proposed Changes

The bill requires that the statewide, standardized ELA and mathematics assessments for grades 3 through 6 be delivered in a paper-based format beginning with the 2018-2019 school year and deletes

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<sup>19</sup> 20 U.S.C. s. 6311(a)(1)(B). Federal Title I funds are contingent upon a state's participation in the NAEP, which is administered through the National Center for Education Statistics, the primary federal entity for collecting and analyzing state related to education in the U.S. National Center for Education Statistics, *About Us*, <https://nces.ed.gov/about/> (last visited Mar. 17, 2017).

<sup>20</sup> See s. 1008.22(2), F.S.

<sup>21</sup> See ss. 1008.212 and 1008.22(10), F.S.

<sup>22</sup> See s. 1008.22(3)(c)4., F.S.; rule 6A-1.09430(1), F.A.C.; see also Florida Department of Education, Division of Public Schools and Bureau of Exceptional Education and Student Services, *Statewide Assessment for Students with Disabilities*, Technical Assistance Paper 2010-92 (July 15, 2010). Access points provide students with significant cognitive disabilities access to the Florida Standards at reduced levels of complexity.

<sup>23</sup> See ss. 7 and 15, ch. 2015-6, L.O.F., codified at s. 1008.22(3)(g)2., F.S.

<sup>24</sup> Section 1008.22(7)(a), F.S.

<sup>25</sup> Florida Department of Education, *Understanding the New Score Report*, <http://fldoe.org/accountability/assessments/fsa-report.stml> (last visited Mar. 13, 2017).

<sup>26</sup> See e.g., Florida Department of Education, *The Florida Standards Assessment English Language Arts Grade 3 Score Report* (2016), available at <http://fldoe.org/core/fileparse.php/5651/urlt/3ELATemplate.pdf>.

a provision requiring the grade 3 assessment to be delivered in a computer-based format beginning with the 2017-2018 school year. The bill also revises the timeline for administering statewide, standardized assessments as follows:

- The grade 3 statewide, standardized ELA assessment and the writing portion of the statewide, standardized ELA assessments for grades 4 through 10 must be administered within a 2-week assessment window that opens no earlier than April 1 each year.
- Any other paper-based statewide, standardized assessment must be administered within a 2-week assessment window that opens no earlier than May 1 each year.
- Any other computer-based statewide, standardized assessment must be administered within a 4-week assessment window that opens no earlier than May 1 each year.

The bill requires school districts to administer the assessments associated with a May 1 assessment window no earlier than 4 weeks before the last day of school for the district. In effect, this will require the last 4 weeks of a school district's school year to overlap with the May 1 assessment windows to the extent necessary for all assessments in the district to be administered. Some school districts may need to move their last day of school to an earlier date in order to provide sufficient time, based upon the district's capacity and needs, to administer these assessments within their respective assessment windows.

The bill requires that assessment results for the grade 3 statewide, standardized ELA assessment be made available no later than May 31. The bill moves the date by which all other statewide assessment results must be made available from the week of June 8 to no later than June 30 of each year in order to allow time for scoring to be completed under the later assessment windows in the bill.

The bill moves the date by which the commissioner must post the uniform assessment calendar to the DOE website from August to January of each year. This will provide school districts additional time to establish their respective assessment calendars for the next two school years.

The bill requires that any new contract for the statewide, standardized ELA and mathematics assessments entered into after July 1, 2017, be administered quarterly for students who have been identified through competency-based education as having mastered the content and who are prepared to take the applicable assessment in accordance with the Competency-Based Education Pilot Program under s. 1003.4995, F.S.

The bill also requires that all statewide, standardized assessments, including EOC assessments, must be administered in a computer-based format; however, beginning with the 2018-2019 school year, the statewide, standardized ELA and mathematics assessments for grades 3 through 6 must be administered in a paper-based format only.

The bill requires that the results of the statewide, standardized ELA and mathematics assessments, including retakes, be reported in an "easy-to read and understandable" format and delivered in time to provide useful, actionable information to students, parents, and to each student's current teacher and the student's teacher of record for the subsequent school year. In any case, each school district must provide the report within 1 week after receiving the results from the DOE. The report must include, at a minimum:

- a clear explanation of the student's performance on the applicable assessments;
- information identifying the student's areas of strength and areas in need of improvement;
- specific actions that may be taken, and the available resources that may be used, by the student's parent to assist the student based on his or her areas of strength and areas in need of improvement;
- longitudinal information, if available, on the student's progress in each subject area based on previous statewide, standardized assessment data;
- comparative information showing the student's score compared to other students in the school district, in the state or, if available, in other states; and

- predictive information, if available, showing the linkage between the scores attained by the student on the statewide, standardized assessments and the scores he or she may potentially attain on nationally recognized college entrance examinations.

## High School State Assessments

### Present Situation

The *Every Student Succeeds Act (ESSA)*<sup>27</sup> is a federal law that reauthorized and substantially revised the *Elementary and Secondary Education Act of 1965 (ESEA)*. ESSA is the successor to the *No Child Left Behind Act of 2001 (NCLB)*.<sup>28</sup> Like its predecessors NCLB and ESEA, the goal of ESSA is to improve elementary and secondary education in public schools by conditioning the receipt of federal funds on the implementation of federal requirements. In order to receive Title I funds under ESSA, states must implement a statewide accountability system for K-12 public schools. ESSA also offers competitive and noncompetitive grant funds for teacher and school leader development, family engagement, student support, weighted per-pupil funding, and the development of innovative student progression systems and assessment formats.

ESSA requires each state receiving Title I funds to submit a plan that includes:

- **challenging academic standards** for reading or language arts (ELA) and math;<sup>29</sup>
- **high quality assessments** in ELA, math, and science;<sup>30</sup>
- **long-term goals** for all students and student subgroups<sup>31</sup> in the state, including measurements of interim progress toward meeting the goals;<sup>32</sup>
- **multiple indicators** of student success and school quality,<sup>33</sup> including:
  - academic achievement as measured by statewide assessments in ELA and math;
  - a 4-year graduation rate for high schools;
  - for elementary and middle schools, student growth or another academic indicator;
  - progress of English learners<sup>34</sup> (EL) toward English proficiency; and
  - an additional indicator of school quality or student success;
- **annual meaningful differentiation** (i.e., levels of performance) based on the system's indicators;<sup>35</sup> and
- **identification of schools**, based on annual meaningful differentiation that requires comprehensive support and improvement or targeted support for specific student subgroups.<sup>36</sup>

ESSA also requires each state and each local school district to annually publish a report card that provides information on student success, school quality, per-pupil funding, the progress of ELs toward English proficiency, and, for the state, progress toward its long-term goals.<sup>37</sup>

These states must also implement high quality standardized assessments for all students, including:

- annual ELA and math assessments for all students in grades 3-8;

<sup>27</sup> Pub. L. No. 114-95, 129 Stat. 1802 (Dec. 10, 2015); 20 U.S.C. s. 6301 *et seq.*

<sup>28</sup> Pub. L. No. 107-110, 115 Stat. 1425 (Jan. 8, 2002).

<sup>29</sup> 20 U.S.C. s. 6311(b)(1).

<sup>30</sup> 20 U.S.C. s. 6311(b)(2).

<sup>31</sup> For purposes of statewide accountability systems, student subgroups include economically disadvantaged students, students from major racial and ethnic groups, children with disabilities, and English learners. 20 U.S.C. s. 6311(c)(2).

<sup>32</sup> 20 U.S.C. s. 6311(c)(4)(A).

<sup>33</sup> 20 U.S.C. s. 6311(c)(4)(B).

<sup>34</sup> An English learner is between 3 to 21 years old; is enrolled or preparing to enroll in an elementary or secondary school; was not born in the U.S. or has a native language other than English; and has difficulties in speaking, reading, writing, or understanding the English language such that the student cannot meet the state's academic standards, cannot achieve in a classroom with instruction in English, or does not have the opportunity to participate fully in society. *See* 20 U.S.C. s. 7801(20).

<sup>35</sup> 20 U.S.C. s. 6311(c)(4)(C).

<sup>36</sup> 20 U.S.C. s. 6311(c)(4)(D).

<sup>37</sup> *See* 20 U.S.C. s. 6311(h)(1) and (2).

- at least one ELA and one math assessment in high school; and
- at least one science assessment during grades 3 through 5, 6 through 9, and 10 through 12.<sup>38</sup>

With respect to high school assessments, ESSA states that “[n]othing in this paragraph shall be construed to prohibit a local education agency [at the state’s discretion and upon state approval] from administering a locally selected assessment in lieu of the State-designated” high school ELA, math, or science assessments.<sup>39</sup> However, any such assessment must:<sup>40</sup>

- be approved by the state;
- be nationally recognized;
- be aligned to the state’s academic standards;
- address the depth and breadth of such standards;
- be equivalent in its content coverage, difficulty, and quality to the state assessments;
- provide comparable, valid, and reliable data on academic achievement, as compared to the state assessment, for all students and for each subgroup of students, with results expressed in terms consistent with the state’s academic achievement standards (i.e., Level 1, Level 2, etc.);
- meet the same technical requirements as the state assessments; and
- provide unbiased, rational, and consistent differentiation between schools within the state in order to meet the requirements of the state accountability system.

Some states, including Wisconsin and Wyoming, have submitted plans to use the ACT as the high school assessment for accountability purposes.<sup>41</sup> However, the U.S. Department of Education, as part of the peer review process for approving state plans, notified both states that they cannot receive approval to use the assessment until they submit substantial additional evidence, including documentation of independent alignment studies to show the assessments are aligned to the states’ standards, to support its use.<sup>42</sup> The U.S. Department of Education also asked for additional evidence to show that different student subgroups would not be disadvantaged in taking the ACT and that accommodations for students with disabilities are appropriate, effective, do not alter the construct being assessed, and allow meaningful interpretations of results and comparison of scores.<sup>43</sup>

### Effect of Proposed Changes

The bill requires the commissioner to contract for an independent study to determine whether the SAT and ACT may be administered in lieu of the grade 10 statewide, standardized ELA assessment and the Algebra I EOC assessment consistent with the provisions of ESSA. The commissioner must submit a report with the results of the review and any recommendations to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the State Board of Education by January 1, 2018.

<sup>38</sup> 20 U.S.C. s. 6311(b)(2).

<sup>39</sup> See 20 U.S.C. s. 6311(b)(2)(H).

<sup>40</sup> 20 U.S.C. s. 6311(b)(2)(H)(i)-(v).

<sup>41</sup> Catherine Gewertz, *Approval Deferred on ACT for Accountability in Wyo., Wis.*, EDUCATION WEEK (Feb. 7, 2017), available at <https://www.edweek.org/ew/articles/2017/02/08/approval-deferred-on-act-for-accountability-in.html>.

<sup>42</sup> See Letter from Ary Amerikaner, Deputy Assistant Secretary U.S. Department of Education, to Jillian Balow, State Superintendent of Public Instruction, Wyoming Department of Education (Dec. 2, 2016), available at <https://www2.ed.gov/admins/lead/account/nclbfinalassess/wy5.pdf>; Letter from Ann Whalen, Senior Advisor to the Secretary, U.S. Department of Education, to Tony Evers, State Superintendent, Wisconsin Department of Public Instruction (Jan. 13, 2017), available at <https://www2.ed.gov/admins/lead/account/nclbfinalassess/wi6.pdf>.

<sup>43</sup> *Id.*

## Publication of Assessment Items

### Present Situation

All examination and assessment instruments, including work papers and developmental materials, are confidential and exempt from disclosure under Florida's public records laws.<sup>44</sup> Provisions governing access, maintenance, and destruction of such instruments and materials are prescribed in rule by the State Board of Education.<sup>45</sup>

Per general practice, once a test or test item is released, the test items may not be reused in order to maintain assessment validity.<sup>46</sup>

From 2005 to 2007, the DOE released FCAT assessments as follows:

- Grades 4, 8, and 10 Reading and Mathematics in 2005;
- Grades 3, 7, 9 and 10 Reading and Mathematics in 2006;
- Grades 5 and 6 Reading and Mathematics, and Grade 8 Science; and
- for the FCAT Writing and FCAT 2.0 Writing assessment, the DOE released the prompts and student responses.<sup>47</sup>

According to the DOE, budgetary constraints ended the practice beginning in 2008.<sup>48</sup> In order to reduce costs, the DOE licenses FSA test items from the test developer, American Institutes for Research, and does not have ownership of or copyright authority over the items.<sup>49</sup> This practice is becoming commonplace among states.<sup>50</sup> Some texts used in state assessment questions are taken from the public domain and can be freely published; however, others are copyrighted texts that the DOE does not have authority to publish.<sup>51</sup>

### Effect of Proposed Changes

The bill requires the Commissioner of Education, beginning with the 2019-2020 school year and every 3 years thereafter, to publish each statewide, standardized assessment and statewide EOC assessment on the DOE's website, excluding retake and alternate assessments, administered in the most recent school year. By publishing the assessments on the website, the DOE would provide public access to view assessments administered during the previous school year.

The bill allows the commissioner to determine the schedule for publishing assessments during the 3-year period; however, the initial publication must occur no later than June 30, 2020, and must include the grade 3 ELA and mathematics assessments, the grade 10 ELA assessment, and the Algebra I EOC assessment.

The bill requires the DOE to publish materials on its website to help the public interpret the published assessment information.

Because test items cannot be repeated for purposes of assessment validity, the DOE would be required to procure additional test items to replace the items it has authority to publish.<sup>52</sup> This would require renegotiation of current assessment contracts for the development of test items owned by the

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<sup>44</sup> See s. 1008.23 F.S.

<sup>45</sup> See rule 6A-10.042, F.A.C.

<sup>46</sup> Florida Department of Education, Agency Analysis of 2016 House Bill 549 p. 3 (Feb. 7, 2017).

<sup>47</sup> *Id* at 2-3.

<sup>48</sup> Florida Department of Education, Testimony by the Assistant Deputy Commissioner for the Division of Accountability, Research, and Measurement before the House PreK-12 Quality Subcommittee (Mar. 20, 2017).

<sup>49</sup> Florida Department of Education, Agency Analysis of 2016 House Bill 549, p. 3 (Feb. 7, 2017).

<sup>50</sup> *Id* at 3.

<sup>51</sup> *Id* at 3.

<sup>52</sup> See *id* at 3.



DOE. Thereafter, the DOE would be required to purchase sufficient test items to replace assessments that are published in accordance with the bill.

The bill does not authorize or require the publication or release of individual student assessment files.

## Value-Added Model

### Present Situation

In recent years, several states have adopted the use of value-added models as part of their education accountability systems.<sup>53</sup> Value-added models are used to measure the causal effect teachers, and in some cases schools, have on student learning growth by controlling for differences in student backgrounds. Such models are generally based on standardized assessment scores and have been the favored model used by economists to measure the impact teacher quality has on student academic and economic outcomes.<sup>54</sup> Value-added models, when used alongside other measures of teacher performance, significantly improve the ability of teacher evaluation systems to identify the most effective teachers.<sup>55</sup>

In Florida's value-added model (VAM) is used to objectively measure student learning growth on the:

- statewide, standardized English language arts assessment in grades 4-10;
- statewide, standardized mathematics assessment in grades 4-8; and
- Algebra I end-of-course assessment.<sup>56</sup>

Student learning growth, as measured by VAM, comprises at least one third of a teacher's performance evaluation if the teacher is assigned a class associated with one of the assessments for which VAM data is calculated.<sup>57</sup> The DOE must calculate VAM scores for these teachers, and school districts must use the scores in the student performance portion of their evaluations.<sup>58</sup>

VAM establishes the expected learning growth for each student, called a predicted score. Florida's VAM model bases each student's predicted score on the typical learning growth seen among students who share characteristics, called covariates, that are statistically controlled for in the model. The covariates used in Florida's student learning growth formula are:

- up to two prior years of achievement scores;
- students with disabilities (SWD) status;
- English Language Learner status;
- gifted status;
- attendance;
- the number of subject-relevant courses in which the student is enrolled;
- mobility, i.e., the number of school transitions a student makes in the same school year;
- difference from modal age in grade, i.e., the student's age in relation to what is normal for students enrolled in that grade (as an indicator of retention);

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<sup>53</sup> David Morganstein & Ron Wasserstein, *ASA Statement on Using Value-Added Models for Educational Assessment* 1 STATISTICS & PUB. POL'Y 108 (2014).

<sup>54</sup> Raj Chetty, John Friedman, and Jonah Rockoff, *Discussion of the American Statistical Association's Statement (2014) on Using Value-Added Models for Educational Assessment* (2014), available at <http://amstat.tandfonline.com/doi/pdf/10.1080/2330443X.2014.956906?needAccess=true>.

<sup>55</sup> Bellwether Education Partners, *Ensuring Effective Teachers For All Students: hearing before the House PreK-12 Quality Subcommittee* (Jan. 11, 2017) (citing Bill & Melinda Gates Foundation, *Gathering Feedback for Teaching* (2011)).

<sup>56</sup> See rule 6A-5.0411, F.A.C. The Commissioner of Education adopted the committee's recommended value-added model (VAM) student learning growth formula for FCAT Reading and Mathematics assessments in June 2011. See Florida Department of Education, *Florida's Value Added Model* (2011) at 11, available at <http://www.fldoe.org/core/fileparse.php/7566/urlt/0075073-presentationvalue-addedmodel.pdf>.

<sup>57</sup> Section 1012.34(3)(a), F.S.

<sup>58</sup> See s. 1012.34(2) and (8), F.S.

- class size (which is a continuous measure counting the number of students linked to the educator); and
- homogeneity of entering test scores of students in the class (which identifies variations in the achievement levels of students in a class when first assigned to the educator).<sup>59</sup>

The VAM score represents the amount, on average, that students taught by a given teacher performed above or below their predicted level of performance. A positive score indicates that the teacher's students performed better than expected; a negative score indicates that the teacher's students performed worse than expected; and a score of "0" indicates that the teacher's students performed no better or worse than expected based on the factors accounted for in the model.<sup>60</sup>

A VAM score provides an objective view of the impact a teacher has on a student's learning. Other evaluation components, including teacher observations and other indicators chosen by the district, incorporate subjective measures of a teacher's quality and can be influenced by collective bargaining. This can lead to instances where teachers who are rated highly effective based on their DOE-calculated VAM score are nonetheless rated effective or lower on their performance evaluation due to the more subjective, district-determined portions of their evaluation.

Some states, such as Tennessee, have robust data systems and information on value-added data that help the public, teachers, and administrators understand what the data means with respect to teacher performance, school performance, and student growth.<sup>61</sup> These systems allow teachers and school administrators to align instruction with student needs and identify trends in student growth. This information can play a significant role in equitable teacher distribution.<sup>62</sup>

### Effect of Proposed Changes

The bill requires that a third party, independent of the assessment developer, analyze student learning growth data calculated using the commissioner-approved formula and provide access to a data visualization tool that enables teachers to understand and evaluate the data and school administrators to improve instruction, evaluate programs, allocate resources, plan professional development, and communicate with stakeholders.

## **Educator Certification**

### Present Situation

#### *Teacher Certification*

In order for a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the Florida Department of Education (DOE).<sup>63</sup> Persons seeking employment at a public school as a school supervisor, principal, teacher, library media specialist, counselor, athletic coach, or in another instructional capacity must be certified.<sup>64</sup> The purpose of certification is to require school-based

<sup>59</sup> Rule 6A-5.0411(3)(a)3., F.A.C. The law specifies student attendance, disability, and English proficiency as variables that must be considered in formula development. Section 1012.34(7)(a), F.S.

<sup>60</sup> Jeffrey Solocheck, *How does Florida's VAM work (in English)?*, Tampa Bay Times, February 26, 2014, <http://www.tampabay.com/blogs/gradebook/how-does-floridas-vam-work-in-english/2167478> (last visited Apr. 29, 2016). See rule 6A-5.0411, F.A.C.

<sup>61</sup> See Tennessee Department of Education, *Tennessee Value-Added Assessment System*, <http://www.tn.gov/education/topic/tvaas> (last visited Apr. 19, 2017).

<sup>62</sup> See SAS Institute, Inc., *TVAAS: What's New in 2016* (2016), available at <https://tvaas.sas.com/support/TVAAS-WhatsNew2016.pdf>.

<sup>63</sup> Sections 1012.55(1) and 1002.33(12)(f), F.S.

<sup>64</sup> Sections 1002.33(12)(f) (charter school teachers) and 1012.55(1), F.S. District school boards and charter school governing boards are authorized to hire non-certified individuals who possess expertise in a given field to serve in an instructional capacity. Rule 6A-

personnel to “possess the credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools.”<sup>65</sup>

The DOE issues three types of educator certificates:

- **Professional Certificate.** The professional certificate is Florida’s highest type of full-time educator certification.<sup>66</sup> The professional certificate is valid for five years and is renewable.<sup>67</sup>
- **Temporary Certificate.** The temporary certificate covers employment in full-time positions for which educator certification is required.<sup>68</sup> The temporary certificate is valid for three years and is nonrenewable.<sup>69</sup>
- **Athletic Coaching Certificate.** The athletic coaching certificate covers full-time and part-time employment as a public school’s athletic coach.<sup>70</sup> DOE issues two types of athletic coaching certificates – one is valid for five years and may be issued for subsequent five-year periods while the other is valid for three years and may be issued only once.<sup>71</sup> The five-year certificate requires satisfaction of certain specialization requirements established in rule.<sup>72</sup>

In addition, school districts are authorized to issue adjunct teaching certificates to part-time teachers who have expertise in the subject area to be taught. An adjunct teaching certificate is valid through the term of the annual contract between the educator and the school district.<sup>73</sup>

To be eligible for an educator certificate, a person must:<sup>74</sup>

- be at least 18 years of age;
- sign an affidavit attesting that the applicant will uphold the U.S. and State Constitutions;
- earn a bachelor’s or higher degree from an accredited institution of higher learning<sup>75</sup> or from a nonaccredited institution identified by the DOE as having a quality program resulting in a bachelor’s or higher degree;<sup>76</sup>
- submit to fingerprinting and background screening and not have a criminal history that requires the applicant’s disqualification from certification or employment;
- be of good moral character; and
- be competent and capable of performing the duties, functions, and responsibilities of a teacher.

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1.0502, F.A.C.; ss. 1002.33(12)(f) and 1012.55(1)(c), F.S. Occupational therapists, physical therapists, audiologists, and speech therapists are not required to be certified educators. Rule 6A-1.0502(10) and (11), F.A.C.

<sup>65</sup> Section 1012.54, F.S.; see rule 6A-4.001(1), F.A.C.

<sup>66</sup> Rule 6A-4.004(2), F.A.C.

<sup>67</sup> Section 1012.56(7)(a), F.S.; see rule 6A-4.0051(3)(c), F.A.C. (validity period is expressed as 5 years from July 1 of the school fiscal year). DOE also issues a nonrenewable 5-year professional certificate that allows an applicant with a bachelor’s degree in the area of speech-language impairment to complete a master’s degree in speech-language impairment. Section 1012.56(7)(c), F.S.; rule 6A-4.004(3), F.A.C.

<sup>68</sup> Rule 6A-4.004(1)(a)2., F.A.C.

<sup>69</sup> Section 1012.56(7), F.S. (flush-left provisions at end of subsection; validity period is expressed in school fiscal years); rule 6A-4.004(1)(a), F.A.C. DOE also issues a nonrenewable temporary certificate, which is valid for 2 years, in the area of speech-language impairment. Sections 1012.56(7)(c) and 1012.54, F.S.; rule 6A-4.001(1), F.A.C.

<sup>70</sup> Section 1012.55(2), F.S.

<sup>71</sup> Rule 6A-4.004(4), F.A.C. (validity periods expressed in school fiscal years).

<sup>72</sup> See rule 6A-4.0282, F.A.C.

<sup>73</sup> Section 1012.57(1) and (4), F.S. An additional annual certification and an additional annual contract may be awarded by the district at its discretion only if the adjunct teacher is rated effective or highly effective during each year of teaching under the adjunct certification. Section 1012.57(4), F.S.

<sup>74</sup> Section 1012.56(2)(a)-(f), F.S.

<sup>75</sup> Section 1012.56(2)(c), F.S.; rule 6A-4.003(1), F.A.C. (approved accrediting agencies); see also 34 C.F.R. ss. 602.1-602.50; U.S. Department of Education, *Regional and National Institutional Accrediting Agencies*, [https://www2.ed.gov/admins/finaid/accred/accreditation\\_pg6.html#NationallyRecognized](https://www2.ed.gov/admins/finaid/accred/accreditation_pg6.html#NationallyRecognized) (last visited Mar. 9, 2017) (list of accrediting agencies approved by the U.S. Department of Education).

<sup>76</sup> Section 1012.56(2)(c), F.S.; rule 6A-4.003(2), F.A.C. (criteria for approval of nonaccredited institutions of higher learning). For initial certification, an applicant must attain at least a 2.5 overall grade point average on a 4.0 scale in the applicant’s major field of study. Section 1012.56(2)(c), F.S.

In addition, each applicant must submit an application and the required fee to the DOE.<sup>77</sup> Although most of the application process is conducted electronically, certain portions of the process, like notifications of deficiencies in an application and supporting documentation, are sent through conventional postal delivery services which can delay the process. These notices are expected to be fully electronic by November of 2017.<sup>78</sup>

To receive a temporary certificate, an applicant must:

- meet the basic eligibility requirements for certification;<sup>79</sup>
- obtain full-time employment in a position that requires a Florida educator certificate by a school district or private school that has a DOE-approved professional education competence demonstration program,<sup>80</sup> and
- do one of the following:
  - demonstrate mastery of subject area knowledge (e.g., passage of the appropriate subject area test),<sup>81</sup> or
  - complete the required degree or content courses specified in state board rule for subject area specialization<sup>82</sup> and attain at least a 2.5 grade point average on a 4.0 scale in the subject area courses.<sup>83</sup>

An educator who is employed under a temporary certificate must demonstrate mastery of general knowledge within one calendar year after employment in order to remain employed in a position that requires a certificate.<sup>84</sup> If the educator is employed under contract, the calendar year deadline for demonstrating mastery of general knowledge may be extended through the end of the school year.<sup>85</sup> A temporary certificate is valid for 3 years and is nonrenewable.<sup>86</sup>

An applicant seeking a professional certificate must:

- meet the basic eligibility requirements for certification,<sup>87</sup>
- demonstrate mastery of general knowledge,<sup>88</sup>
- demonstrate mastery of subject area knowledge,<sup>89</sup> and
- demonstrate mastery of professional preparation and education competence.<sup>90</sup>

A professional certificate is valid for five years and is renewable.<sup>91</sup>

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<sup>77</sup> Section 1012.56(1), F.S.; see s. 1012.59, F.S. The fee for initial certification is \$75 per subject area. Rule 6A-4.0012(1)(a)1. and 2., F.A.C.

<sup>78</sup> Telephone interview with Bureau Chief, Florida Department of Education, Bureau of Educator Certification (Feb. 23, 2017).

<sup>79</sup> Section 1012.56(2)(a)-(f) and (7)(b), F.S.

<sup>80</sup> Section 1012.56(1)(b), F.S.; rule 6A-4.004(1)(a)2., F.A.C.

<sup>81</sup> Section 1012.56(7)(b), F.S.; Florida Department of Education, *Subject Area Knowledge*, [http://www.fldoe.org/edcert/mast\\_sub.asp](http://www.fldoe.org/edcert/mast_sub.asp) (last visited April 28, 2016).

<sup>82</sup> Section 1012.56(7)(b), F.S. The degree and content requirements are specified in ch. 6A-4, F.A.C.

<sup>83</sup> Section 1012.56(2)(c), F.S.; see Florida Department of Education, *Certificate Types and Requirements*, <http://www.fldoe.org/teaching/certification/general-cert-requirements/index.stml> (last visited Mar. 9, 2017).

<sup>84</sup> Section 1012.56(7), F.S. (flush-left provisions at end of subsection).

<sup>85</sup> *Id.*

<sup>86</sup> *Id.*

<sup>87</sup> Section 1012.56(2)(a)-(f), F.S.; see *supra* text accompanying notes 12-15.

<sup>88</sup> Section 1012.56(2)(g) and (3), F.S.; Florida Department of Education, *General Knowledge*, [http://www.fldoe.org/edcert/mast\\_gen.asp](http://www.fldoe.org/edcert/mast_gen.asp) (last visited Mar. 9, 2017).

<sup>89</sup> Section 1012.56(2)(h) and (5), F.S.

<sup>90</sup> Section 1012.56(2)(i) and (6), F.S.; Florida Department of Education, *Professional Preparation and Education Competence*, [http://www.fldoe.org/edcert/mast\\_prof.asp](http://www.fldoe.org/edcert/mast_prof.asp) (last visited Mar. 9, 2017) [hereinafter *Professional Preparation and Education Competence*].

<sup>91</sup> Sections 1012.56(7)(a) and 1012.585, F.S.; rule 6A-4.0051(1), F.A.C. See *supra* text accompanying note 5.

Pathways to a professional certificate include:

- successfully completing an approved teacher preparation program at a postsecondary educational institution in Florida or a teacher preparation program from an out-of-state accredited or DOE-approved institution and achieving a passing score on the Professional Education Test (PET), Subject Area Examination (SAE), and General Knowledge Test (GKT) required by state board rule;<sup>92</sup>
- successfully completing a competency-based professional development certification program offered by a school district or an educator preparation institute (EPI) and passing the PET, SAE, and GKT;<sup>93</sup>
- completing 15 semester hours in professional preparation courses specified in state board rule<sup>94</sup> or completing the Professional Training Option for Content Majors;<sup>95</sup> completing requirements for practical experience in teaching;<sup>96</sup> completing an approved professional education competence demonstration program;<sup>97</sup> and passing the PET, SAE, and GKT;<sup>98</sup>
- providing documentation of a valid professional standard teaching certificate issued by another U.S. state or by the National Board Professional Teaching Standards (NBPTS);<sup>99</sup>
- providing documentation of a valid professional standard teaching certificate issued by the American Board for Certification of Teacher Excellence (ABCTE) and completing an approved professional education competence demonstration program;<sup>100</sup> or
- completing two semesters of part-time or full-time college teaching experience at an accredited community college, state university, or private college or university that awards associate's or higher degrees or at a nonaccredited institution of higher education identified by the DOE as having a quality program and passing the SAE and PET.<sup>101</sup>

In 2016, the law was amended to allow an individual to earn a professional certificate covering grades 6 through 12 in a Science, Technology, Engineering, or Mathematics (STEM) subject without having to complete coursework associated with professional preparation and education competence, if the individual:

- meets the basic eligibility requirements for certification;
- demonstrates mastery of general knowledge;
- holds a master's or higher degree in science, technology, engineering, or mathematics;
- passes the PET and the SAE for the correlated educator certificate;
- teaches a high school course in the subject area of the advanced degree; and

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<sup>92</sup> Section 1012.56(6)(a) and (b), F.S.; *see s. 1004.04, F.S.*; rule 6A-4.003(1) and (4), F.A.C. (accreditation of teacher education programs). The Professional Education Test is part of the Florida Teacher Certification Examinations. Rule 6A-4.0021(8), F.A.C.

<sup>93</sup> Section 1012.56(6)(g)-(h), F.S.; *see ss. 1004.85 and 1012.56(8), F.S.*; rule 6A-5.066(2)(b)1.d. and (c)1.d., F.A.C.

<sup>94</sup> Section 1012.56(6)(f), F.S.; rule 6A-4.006(2)(a), F.A.C. Separate professional preparation course requirements are established for certification in Agriculture (grades 6-12). Rule 6A-4.006(3)(a), F.A.C.

<sup>95</sup> The Professional Training Option for Content Majors authorizes an approved teacher preparation program at a postsecondary institution in Florida to allow students who do not major in education but do major or minor in a content area (*e.g.*, English major) to satisfy professional preparation course requirements. Rule 6A-5.066(3), F.A.C.

<sup>96</sup> *Professional Preparation and Education Competence, supra note 90*; *see rules 6A-4.002(5) and 6A-4.006(2)(b), F.A.C.*

<sup>97</sup> Section 1012.56(6)(f), F.S. Each school district must, and a state-supported public or private school may, establish a professional education competence demonstration program that allows the district's or school's instructional staff to demonstrate mastery of professional preparation and education competence through a performance evaluation plan, which documents the staff's classroom application and instructional performance. *See s. 1012.56(8)(b), F.S.*

<sup>98</sup> Section 1012.56(6)(f), F.S.

<sup>99</sup> Section 1012.56(6)(c)-(d), F.S.; *see rule 6A-4.002(1)(i)-(j), F.A.C.*

<sup>100</sup> Section 1012.56(6)(d), F.S.; rule 6A-4.002(1)(j), F.A.C.; *Professional Preparation and Education Competence, supra note 90.*

<sup>101</sup> Section 1012.56(6)(e), F.S. A non-accredited institution of higher learning is approved as having a quality program if the institution meets one of the following criteria: is accepted for certification purposes by the state department of education where the institution is located; holds a certificate of exemption pursuant to s. 1005.06, F.S.; is a newly created Florida public college or university that offers a bachelor's or higher degree program; is located outside the U.S. and awards a degree that is the equivalent to a bachelor's or higher degree awarded by an accredited or approved institution in the U.S.; or the degree from the institution was accepted by an accredited or approved institution either in transfer or as a basis for admission into the graduate program which resulted in the conferral of a higher degree. Rule 6A-4.003(2), F.A.C.



- is rated highly effective under the school district's performance evaluation system based in part on student performance as measured by a statewide standardized assessment or an Advanced Placement, Advance International Certificate of Education, or International Baccalaureate examination.<sup>102</sup>

Several of the pathways allow a temporary certificate holder to complete the general knowledge and professional preparation and education competence requirements for a professional certificate while serving as a classroom teacher. These include the college coursework option, EPIs, district professional development certification and education competency programs (professional development certification program), professional training option programs, and the STEM secondary certification pathway. Data from the DOE show that 35 percent of temporary certificate holders do not complete the requirements for a professional certificate by the end of their 3-year temporary certificate.<sup>103</sup>

A professional certificate must be renewed every five years.<sup>104</sup> An educator must submit an application,<sup>105</sup> pay a fee,<sup>106</sup> and earn at least six college credits or 120 inservice points to renew professional certification.<sup>107</sup> At least three college credits or 60 inservice points must be earned in each subject area for which renewal is sought.<sup>108</sup> The renewal period may be extended to include two successive renewal periods up to 10 years to enable educators who are certified in three or more subject areas to earn the required credits or inservice points in each subject area.<sup>109</sup> In addition to credits or inservice points required in the subject area, credits or inservice points may be earned in courses in clinical educator training, literacy and computational skills acquisition, exceptional student education, child development, drug abuse, child abuse, limited English proficiency, dropout prevention, and other topics.<sup>110</sup>

State board rule includes special provisions for teachers of limited English proficient students, teachers of students with disabilities and teachers of reading.<sup>111</sup> The law allows a professional certificate holder to use college credits or inservice points earned through training in teaching students of limited English proficiency or students with disabilities and training in teaching reading in excess of six semester hours during one certificate validity period toward renewal of the professional certificate during the subsequent validity periods.<sup>112</sup> Temporary certificate holders may use college credits or inservice points earned through training in teaching students of limited English proficiency or students with disabilities and training in teaching reading toward renewal of the teacher's first professional certificate; however, the training must not have been included within the degree program, and the temporary and professional certificates must be issued for consecutive school years.<sup>113</sup>

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<sup>102</sup> Chapter 2016-117, L.O.F.

<sup>103</sup> Florida Department of Education, *Pathways to the Professional Certificate: hearing before the House PreK-12 Quality Subcommittee* (Feb. 15, 2017), available at

<http://www.myfloridahouse.gov/Sections/Documents/Document.aspx?PublicationType=Committees&CommitteeId=2909&Session=2017&DocumentType=Meeting%20Packets&FileName=pkq%202-15-17.pdf>.

<sup>104</sup> Section 1012.585(2)(a), F.S.

<sup>105</sup> Rule 6A-4.0051(3)(b), F.A.C. The DOE processes certification renewals for individuals who are not employed by district school boards. Section 1012.585(1)(b), F.S. District school boards are responsible for processing certificate renewals for school district employees. Section 1012.585(1)(a), F.S.

<sup>106</sup> The fee for a certification renewal is \$75. Rules 6A-4.0051(3)(b), F.A.C. and 6A-4.0012(1)(a)1.

<sup>107</sup> Section 1012.585(3)(a), F.S. Applicants may combine college credits and inservice points to meet this requirement. One semester hour of college credit is equivalent to 20 inservice points. Rule 6A-4.0051(1)(a)2., F.A.C. College credits must be earned at an accredited or state board-approved institution. Inservice points must be earned through participation in state board-approved school district inservice activities. Rule 6A-4.0051(1)(a), F.A.C.; see rule 6A-4.003(1) and (2), F.A.C. (list of approved accrediting agencies and guidelines for nonaccredited approved institutions).

<sup>108</sup> Section 1012.585(3)(a), F.S.

<sup>109</sup> Section 1012.585(3)(c), F.S.; rule 6A-4.0051(2)(c), F.A.C.

<sup>110</sup> Section 1012.585(3)(a), F.S.

<sup>111</sup> Rule 6A-4.0051(5), F.S.

<sup>112</sup> Section 1012.585(3)(d)1., F.S.

<sup>113</sup> Section 1012.585(3)(d)2., F.S.

Applicants for renewal of a professional certificate must earn at least one college credit or the equivalent amount of inservice points in the area of instruction for teaching students with disabilities.<sup>114</sup>

Certification in subject areas may also be renewed by earning a passing score on the corresponding Florida-developed subject area test or standardized examination specified in state board rule.<sup>115</sup> Certification by NBPTS is deemed to meet certification renewal requirements for the life of the certificate, in the corresponding certification subject area.<sup>116</sup>

### *Teacher Preparation*

There are various teacher preparation programs that individuals may use to receive the training needed to attain teaching credentials, including:<sup>117</sup>

- **Initial Teacher Preparation programs** are “traditional” teacher preparation programs that require candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas(s), mastery of general knowledge, and mastery of professional preparation and education competence. Such programs result in qualification for a professional educator certificate.<sup>118</sup>
- **Educator Preparation Institutes** are alternative certification programs offered by postsecondary institutions and private providers for baccalaureate degree holders. These programs provide professional preparation for career-changers and recent college graduates who do not already possess a Professional Educator Certificate and require mastery of general knowledge, mastery of subject area knowledge and mastery of professional preparation and education competence.
- **District Professional Development Certification and Education Competency Programs** are cohesive, competency-based professional preparation certification programs offered by Florida public school districts, by which a school district’s instructional staff can satisfy the mastery of professional preparation and education competence requirements. In addition to completing the district program, candidates must demonstrate mastery of general knowledge and subject area knowledge.

### *Professional Development*

Florida law requires a number of entities, including the DOE, public postsecondary educational institutions, public school districts, public schools, state education foundations, consortia, and professional organizations, to work collaboratively to develop a coordinated system of professional development. The purpose of the system is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education and the workforce.<sup>119</sup>

Part of the DOE’s responsibility in the professional development system is to disseminate to the school community research-based professional development methods and programs that have demonstrated success in meeting identified student needs.<sup>120</sup> At least one method of dissemination must be through a web-based statewide performance support system, including a database of exemplary professional development activities, a listing of available professional development resources, training programs,

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<sup>114</sup> Section 1012.585(4), F.S. This required training may not add to the total hours required by the DOE for continuing education or inservice training. *Id.*

<sup>115</sup> Section 1012.585(3)(b), F.S. For the purposes of renewing a professional certificate, passage of a subject area examination is equivalent to three semester hours of college credit. Rule 6A-4.0051(1)(b), F.A.C.

<sup>116</sup> Section 1012.585(2)(b), F.S.; rule 6A-4.0051(1)(c), F.A.C.

<sup>117</sup> Florida Department of Education, *Educator Preparation*, <http://www.fldoe.org/teaching/preparation> (last visited Mar. 9, 2017). See also rule 6A-5.066, F.A.C.

<sup>118</sup> Rule 6A-5.066, F.A.C.

<sup>119</sup> Section 1012.98(1), F.S.

<sup>120</sup> Section 1012.98(4)(a), F.S. The web-based statewide performance support system can be accessed at

<https://www.floridaschoolleaders.org>.

and available assistance.<sup>121</sup> In addition, the DOE must disseminate, using the web-based statewide performance-support system, proven model professional development programs that have demonstrated success in increasing rigorous and relevant content, increasing student achievement and engagement, and meeting identified school needs.<sup>122</sup> The DOE must also disseminate, using web-based technology, research-based best practice methods by which the state and district school boards may evaluate and improve the professional development system.<sup>123</sup>

Each school district is required to develop a professional development system in consultation with teachers, teacher-educators of Florida College System (FCS) institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations.<sup>124</sup> The system must:

- be approved by the DOE, with all substantial revisions thereto also approved by the DOE;
- be based on analyses of student achievement data and instructional strategies and methods that support rigorous, relevant, and challenging curricula for all students;
- provide in-service activities with follow-up support appropriate to accomplish district-level and school-level improvement goals and standards;
- include a master plan for inservice activities, which must be aligned to and support school-based inservice plans and school improvement plans and be approved annually by the district school board;
- include inservice activities for school administrative personnel that address updated skills necessary for instructional leadership and effective school management;
- provide for systematic consultation with regional and state personnel designated to provide technical assistance and evaluation of local professional development programs;
- provide for delivery of professional development by distance learning and other technology-based delivery systems to reach more educators at lower costs;
- provide for the continuous evaluation of the quality and effectiveness of professional developmental programs in order to eliminate ineffective programs and strategies and expand effective ones; and
- for middle grades, emphasize:
  - interdisciplinary planning, collaboration, and instruction;
  - alignment of curriculum and instructional materials to the state academic standards; and
  - use of small learning communities; problem-solving, inquiry-driven research and analytical approaches for students; strategies and tools based on student needs; competency-based instruction; integrated digital instruction; and project-based instruction.<sup>125</sup>

A district school board may contract with independent entities for professional development services and inservice education if the district school board can demonstrate to the Commissioner of Education that, through such a contract, a better product can be acquired or its goals for education improvement can be better met.<sup>126</sup>

### *Teacher Mentoring and Induction*

Teacher induction programs “aim to improve the performance and retention of new hires and to enhance the skills and prevent the loss of new teachers with the ultimate goal of improving student’s growth and learning.”<sup>127</sup> Data show that recent concerns over staffing shortages are primarily related to retaining new teachers rather than recruiting them, as beginning teachers leave the profession at a

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<sup>121</sup> *Id.*

<sup>122</sup> Section 1012.98(11), F.S.

<sup>123</sup> Section 1012.98(7), F.S.

<sup>124</sup> Section 1012.98(4)(b), F.S.

<sup>125</sup> Section 1012.98(4)(b), F.S.

<sup>126</sup> Section 1012.98(9), F.S.

<sup>127</sup> Richard Ingersoll, *Beginning Teacher Induction: What the Data Tell Us*,

[http://www.edweek.org/ew/articles/2012/05/16/kaplan\\_ingersoll.h31.html](http://www.edweek.org/ew/articles/2012/05/16/kaplan_ingersoll.h31.html) (last visited Mar. 6, 2017).



higher clip than experienced ones or teachers who retire.<sup>128</sup> Beginning teachers who leave the profession often report a lack of adequate administrative support as a motivating factor.<sup>129</sup> This has led to a significant portion of the teacher workforce consisting more of beginning teachers as well as an increase in participation in teacher induction programs.<sup>130</sup> However, there is great variation in the quality of induction opportunities offered to new teachers between states and school districts.<sup>131</sup>

Generally, teacher induction has a positive effect on retaining new teachers. Further, participation in certain activities is correlated with higher rates of retention, including having a peer mentor in the subject area and having common planning time.<sup>132</sup>

Florida law has no provisions related to new teacher induction other than requiring the assignment of a peer mentor as part of a district program.<sup>133</sup> Although a peer mentor must hold a valid professional certificate, have at least 3 years of teaching experience in prekindergarten through grade 12, and have a rating of effective or highly effective on the prior year's performance evaluation,<sup>134</sup> the law does not expressly establish mentor training and mentoring activities requirements.

### Effect of Proposed Changes

To help districts recruit and retain new teachers, the bill enhances requirements for the peer mentor component of a district program and establishes a mentorship and induction-based pathway to a professional educator certificate. Under the bill, a temporary certificate holder who completes a DOE-approved district program and who has a highly effective district performance evaluation rating will receive a professional certificate without having to sit for additional coursework or take the Professional Education Test (PET).

The bill requires that the mentorship and induction component of a district's professional development certification program, at a minimum, provide weekly opportunities for mentoring and induction activities, including:

- common planning time;
- ongoing professional development targeted to a mentee teacher's needs;
- opportunities to observe other teachers;
- co-teaching experiences; and
- reflection and follow-up discussions.

The bill requires that the mentorship and induction activities must be provided for the teacher's first year in the program and may be provided until the teacher attains his or her professional certificate. The bill requires that a principal who is rated highly effective must be provided flexibility in selecting professional development activities for the mentorship and induction component so long as they are approved by the DOE.

The bill allows charter schools and charter management organizations to offer a DOE-approved professional development certification program.

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<sup>128</sup> *See id.*

<sup>129</sup> *Id.*

<sup>130</sup> *See id.*

<sup>131</sup> *See id.* *See also* The New Teacher Center, *Support from the Start: A 50-State Review of Policies on New Educator Induction and Mentoring* (2016) at iii-iv, available at <https://newteachercenter.org/wp-content/uploads/2016ExecSummaryStatePolicies.pdf>.

<sup>132</sup> *See* RICHARD INGERSOLL, *Beginning Teacher Induction: What the Data Tell Us*, [http://www.edweek.org/ew/articles/2012/05/16/kappan\\_ingersoll.h31.html](http://www.edweek.org/ew/articles/2012/05/16/kappan_ingersoll.h31.html) (last visited Mar. 6, 2017).

<sup>133</sup> *See* s. 1012.56(8)(a)3., F.S.

<sup>134</sup> *Id.* School district personnel evaluation systems differentiate among four levels of performance: Highly Effective; Effective; Needs improvement (or Developing for instructional personnel in their first 3 years of employment who need improvement); and Unsatisfactory. Section 1012.34(2)(e), F.S.

The bill requires the DOE to adopt standards for the approval of professional development certification programs, including standards for the teacher mentorship and induction component, by December 31, 2017. The standards for the teacher mentorship and induction component must include:

- program administration and evaluation;
- mentor roles, selection, and training;
- beginning teacher assessment and professional development; and
- teacher content knowledge and practices aligned to the Florida Educator Accomplished Practices.

Each school district, charter school, or charter management organization, wishing to provide a professional development certification program must submit its program, including the teacher mentorship and induction component, to the DOE for approval no later than June 30, 2018. Beginning January 1, 2019, a teacher may not satisfy requirements for a professional certificate through a professional development certification program unless the program has been approved by the DOE. As a result, teachers can complete the requirements for a professional certificate based on current program requirements through December 31, 2018, at the latest.

The bill allows participation in a district program as a mentor or a mentee to count toward a teacher's inservice specialization requirements for renewal of a professional certificate. The bill also requires each district professional development system to provide inservice activities and support targeted to the individual needs of teachers participating in the district program.

The bill requires professional development activities designed to implement the School Community Professional Development Act to provide training to mentors as part of the district program. The training must include components on teacher development, peer coaching, time management, and other related topics as determined by the DOE. The bill requires model professional development programs disseminated by the DOE to include effective mentorship activities to new teachers and training to mentors.

The bill streamlines the temporary certificate application process by requiring the DOE to electronically issue a temporary certificate to a qualifying applicant within 14 calendar days after it receives a request from the applicant's employing school district or private school. The DOE must also electronically provide an official statement of status of eligibility at the time the certificate is issued. The statement must include each method by which an applicant can complete the qualifications for a professional certificate. In addition, the bill requires the DOE to electronically notify a temporary certificate holder, at least 1 year in advance, the date that his or her certificate will expire. The notification must include the methods by which the certificate holder can complete the requirements for a professional certificate.

The bill requires the State Board of Education to adopt rules that would add another year to a temporary certificate if the certificate holder is rated effective or highly effective based solely on a student learning growth model adopted by the Commissioner of Education.

## **Teacher Training, Certification, and Endorsement in Reading Instruction**

### Present Situation

#### *Just Read, Florida! Office*

In 2001, Florida Governor Jeb Bush established the Just Read, Florida! initiative, which aimed at helping students become successful, independent readers.<sup>135</sup> The Legislature formally created the Just Read, Florida! Office within the Department of Education in 2006.<sup>136</sup>

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<sup>135</sup> Exec. Order No. 01-260 (2001).

<sup>136</sup> Section 8, ch. 2006-74, L.O.F.

The Office must:

- Train highly effective reading coaches.
- Create multiple designations of effective reading instruction, with accompanying credentials, which encourage all teachers to integrate reading instruction into their content areas.
- Train K-12 teachers and school principals on effective content-area-specific reading strategies. For secondary teachers, emphasis shall be on technical text. These strategies must be developed for all content areas in the K-12 curriculum.
- Provide parents with information and strategies for assisting their children in reading in the content area.
- Provide technical assistance to school districts in the development and implementation of district plans for use of the research-based reading instruction allocation and annually review and approve such plans.<sup>137</sup>
- Review, evaluate, and provide technical assistance to school districts' implementation of the K-12 comprehensive reading plan.
- Work with the Florida Center for Reading Research to provide information on research-based reading programs and effective reading in the content area strategies.
- Periodically review the Sunshine State Standards for reading at all grade levels.
- Periodically review teacher certification examinations, including alternative certification exams, to ascertain whether the examinations measure the skills needed for research-based reading instruction and instructional strategies for teaching reading in the content areas.
- Work with initial teacher preparation programs to integrate research-based reading instructional strategies and reading in the content area instructional strategies into teacher preparation programs.
- Administer grants and perform other functions as necessary to meet the goal that all students read at grade level.<sup>138</sup>

### *Certification and Endorsement*

Each educator certificate has subject area “coverage”--a designation on the certificate that indicates the field in which the educator has content knowledge (e.g., Mathematics, grades 6-12). An “endorsement” is a “rider” shown on an educator certificate that signifies the educator has knowledge of instructional strategies that target particular levels, stages of development, or circumstances (e.g., Reading Endorsement or Endorsement in English for Speakers of Other Languages).

To add subject area coverage or an endorsement to a professional certificate or temporary certificate, an educator must submit an application and the required fee and complete requirements as specified in state board rule.

The specialization requirements for a K-12 reading certification are:

- a master’s or higher degree with a graduate major in reading; or
- a bachelor’s or higher degree with 30 semester hours in reading to include the following areas:
  - Six semester hours in foundations of reading instruction to include the elementary and secondary levels.
  - Six semester hours in diagnosis of reading disabilities and techniques of corrective or remedial reading.
  - Three semester hours in educational measurement.
  - Three semester hours in literature for children or adolescents.
  - Three semester hours in methods of teaching language arts at the elementary or secondary level.

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<sup>137</sup> Requirements relating to district reading plans are found in s. 1011.62(9), F.S.

<sup>138</sup> Section 1001.215, F.S.

- Three semester hours in administration and interpretation of instructional assessments with instructional strategies and materials based upon scientifically based reading research for the prevention and remediation of reading difficulties.
- Three semester hours in a supervised reading practicum to obtain practical experience in increasing the reading performance of a student(s) with the prescription and utilization of appropriate strategies and materials based upon scientifically based reading research to address the prevention, identification, and intervention of reading difficulties.<sup>139</sup>

The specialization requirements for a reading endorsement are a bachelor's or higher degree with certification in an academic, degreed vocational, administrative, or specialty class coverage and 15 semester hours in reading coursework, based upon scientifically based reading research with a focus on both the prevention and remediation of reading difficulties, to include the following:

- Six semester hours in understanding reading as a process of student engagement in both fluent decoding of words and construction of meaning.
- Three semester hours in the administration and interpretation of instructional assessments to include screening, diagnosis, and progress monitoring with purposes of prevention, identification, and remediation of reading difficulties.
- Three semester hours in understanding how to prescribe, differentiate instruction, and utilize appropriate strategies and materials based upon scientifically based reading research in order to address the prevention, identification, and remediation of reading difficulties in order to increase reading performance.
- Three semester hours in a supervised practicum to obtain practical experience in increasing the reading performance of a student(s) with the prescription and utilization of appropriate strategies and materials based upon scientifically based reading research to address the prevention, identification, and remediation of reading difficulties.<sup>140</sup>

### *Teacher Preparation*

The uniform core curricula for teacher preparation programs must include content in scientifically based reading instruction contained in the reading endorsement competencies adopted by the State Board of Education.<sup>141</sup> The reading endorsement competencies include five major components:

- Competency 1: Foundations of Reading Instruction
- Competency 2: Application of Research-Based Instructional Practices
- Competency 3: Foundations of Assessment
- Competency 4: Foundations and Applications of Differentiated Instruction
- Competency 5: Demonstration of Accomplishment (Culminating Practicum)

Students at an initial teacher preparation program who are a candidate in prekindergarten-primary (age 3-Grade 3), elementary (K-6), reading (K-12) and exceptional student education (K-12) certification programs must be prepared in reading endorsement competencies 1 through 4.<sup>142</sup> Candidates in educator preparation institutes and district professional development certification programs must be prepared in only competencies 1 and 2.<sup>143</sup>

### Effect of Proposed Changes

The bill requires the Just Read, Florida! Office to identify proven reading instruction and intervention programs<sup>144</sup> that incorporate explicit, systematic, and sequential approaches to teaching phonemic

<sup>139</sup> Rule 6A-4.0291, F.A.C.

<sup>140</sup> Rule 6A-4.0292, F.A.C.

<sup>141</sup> See ss. 1004.04(2)(b)3. and 1004.85(3)(a)c., F.S. See also rules 6A-4.0163 and 6A-5.066(1)(hh)4., F.A.C.

<sup>142</sup> Rule 6A-5.066(1)(hh)4.a., F.A.C.

<sup>143</sup> Rule 6A-5.066(1)(hh)4.b., F.A.C.

<sup>144</sup> The bill defines "reading interventions" as evidence-based strategies frequently used to remediate reading deficiencies and include individual instruction, tutoring, or mentoring that target specific reading skills and abilities.

awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic instructional strategies. The bill specifies that reading intervention includes evidence-based strategies frequently used to remediate reading deficiencies and includes individual instruction, multisensory approaches, tutoring, and mentoring.

The bill also requires the Office to work with the Lastinger Center for Learning at the University of Florida to develop training for teachers, reading coaches, and principals on integrating content knowledge-rich texts from other core subject areas into reading instruction and evidence-based reading strategies. The office must also help initial teacher preparation programs and educator preparation institutes to integrate effective, research-based and evidence-based reading instructional and intervention strategies.

The bill specifies that the Just Read, Florida! Office must review teacher certification and alternative certification requirements, as well as examinations, to determine whether skills needed for evidence-based reading instruction are measured.

The bill requires the uniform core curricula used by teacher preparation programs and educator preparation institutes to 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.

By July 1, 2018, and at least once every five years thereafter, the department must review specialization and coverage area requirements in the elementary, reading, and exceptional student educational areas. At the conclusion of each review, the department must recommend to the State Board of Education changes to the specialization and coverage area requirements based upon any instructional or intervention strategies identified by the department that are proven to improve student reading performance.

The bill requires an applicant for renewal of an identified professional certificate with a beginning validity date of July 1, 2020, or thereafter to complete a minimum of 2 college credit hours (equivalent to 40 inservice points or 40 hours) in the use of explicit, systematic, and sequential approaches to reading instruction, developing phonemic awareness, and implementing multisensory intervention strategies. The training must be provided by approved Florida teacher preparation programs or school district professional development programs.

The bill limits the training that may satisfy certification renewal requirements for teachers who hold a certificate in an area that involves reading instruction or intervention for K-6 students. However, the bill specifies that scientifically researched, knowledge-based reading literacy including explicit, systematic, and sequential approaches to reading instruction, developing phonemic awareness, and implementing multisensory intervention strategies may be applied to any specialization area.

The bill provides that inservice points earned through participation in professional growth components in a school district's plan for inservice educational training may not be used to satisfy specialization requirements for renewal, but may be used to satisfy nonspecialization requirements. The bill eliminates the authority to use credit or points earned for service as a trainer or as a part of a committee or council towards the fulfillment of the credit requirements.

The bill requires each school district's professional development system to provide 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. All elementary grades instructional personnel must be

provided access to sufficient training so they can meet certification or endorsement requirements established by the state board with respect to reading instruction and intervention.

## **Middle Grade Career and Education Planning Course**

### Present Situation

Public school students in grades 6, 7, or 8 must complete a career and education planning course which results in completion of an academic and career plan for the student. Schools must inform parents about the course curriculum and activities. At a minimum the course must be internet-based and easy to use. Among other things, the course must emphasize entrepreneurship skills, technology or the application of technology in career fields, and must include information from the DEO's economic security report.<sup>145</sup>

### Effect of Proposed Changes

The bill deletes the requirement for middle grade students to complete a course in career and education planning. Schools may still offer the course to middle grades students.

## **Instructional Materials Allocation**

### Present Situation

Funding for instructional materials is provided annually by the Legislature in the General Appropriations Act (GAA).

Up to 50 percent of the annual allocation provided in the General Appropriations Act for instructional materials may be used by school districts to purchase materials not on the state-adopted list, including library and reference books and nonprint materials, and for the repair and renovation of textbooks and library books. The remainder of the allocation must be used to purchase "digital or electronic instructional materials that align with state standards included on the state-adopted instructional materials list."<sup>146</sup> Instructional materials funds available after March 1 may be used to purchase hardware for student instruction.<sup>147</sup> In any year in which the total instructional materials allocation for a school district has not been expended or obligated prior to June 30, the district school board must carry forward the unobligated amount and must add that amount to the next year's allocation.<sup>148</sup>

Materials purchased by a school district that are not on the state-adopted list or otherwise made available in a classroom might not undergo any adoption review or public review process.<sup>149</sup>

### Effect of Proposed Changes

The bill revises provisions relating to the use of instructional materials allocation funds by deleting the requirement that at least 50 percent of the annual allocation amount be used to purchase digital or electronic instructional materials.

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<sup>145</sup> Section 1003.4156(1)(e), F.S. The Department of Economic Opportunity, in consultation with the Department of Education, is required to prepare, or contract with an entity to prepare, an economic security report of employment and earning outcomes for degrees or certificates earned at public postsecondary educational institutions. Section 445.07, F.S.

<sup>146</sup> Sections 1006.28(1)(a)1. and 1006.40(3), F.S. Materials not on the state adopted list include library books, reference books, and non-print materials. Section 1006.40(3)(b)., F.S.

<sup>147</sup> Section 1011.62(6)(b)5., F.S.

<sup>148</sup> Section 1006.40(7), F.S.

<sup>149</sup> *E.g.*, novels that are included in a recommended or required reading list or checked out of the school library by the classroom teacher or a student.

## High School Graduation Online Course Requirement

### Present Situation

Receipt of a standard high school diploma requires successful completion of 24 credits, an International Baccalaureate curriculum or an Advanced International Certificate of Education curriculum.<sup>150</sup> At least one course must be completed through online learning.<sup>151</sup> An online course provided by the FLVS, a virtual education provider approved by the State Board of Education, a high school or an online dual enrollment course taken in 6th, 7th or 8th grade fulfill the online course requirement.<sup>152</sup> A school board or charter school governing board may offer the following options to satisfy the online course requirement:

- Completion of a course where the student earns a nationally recognized industry certification in information technology or passage of the information technology certification exam without enrolling in the corresponding course.
- Passage of an online content assessment, without enrollment in or completion of the corresponding course, by which the student demonstrates skills and competency in locating information and applying technology for instructional purposes.

### Effect of Proposed Changes

The bill allows a student to satisfy the online course requirements by either an online course or a blended learning course and removes passage of an online content assessment, by which the student demonstrates skills and competency in locating information and applying technology for instructional purposes, as an option to fulfill the online course requirement.

## Teacher Bonuses

### Present Situation

The Legislature allocates public education funding to Florida's 67 school districts and 8 special districts through the Florida Education Finance Program (FEFP). The FEFP provides equalized funding to guarantee to each student in the Florida public education system the availability of programs and services appropriate to his or her educational needs that are substantially equal to those available to any similar student notwithstanding geographic differences and varying local economic factors. The FEFP is the primary mechanism for funding the operating costs of Florida school districts, which among other things, includes the payment of teacher salaries.<sup>153</sup>

Teachers of IB, AICE and AP courses are awarded bonuses for students who earn specified scores on the course examinations.<sup>154</sup>

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<sup>150</sup> Section 1003.4282(1)(a), F.S.

<sup>151</sup> Section 1003.4282(4), F.S.

<sup>152</sup> Section 1003.4282(4)(a), F.S.

<sup>153</sup> See s. 1011.60, F.S. The performance salary schedule is funded from the same sources used to pay instructional personnel and school administrators under the grandfathered salary schedule.

<sup>154</sup> Section 1011.62(1)(1)-(n), F.S.; *International Baccalaureate*, <http://www.ibo.org> (last visited Apr. 18, 2016); University of Cambridge, International Examinations, *Cambridge Advanced International Certificate of Education Diploma*, <http://www.cie.org.uk/qualifications/academic/uppersec/aice> (last visited Apr. 18, 2016); College Board, *Advanced Placement Program*, <http://www.collegeboard.com/student/testing/ap/about.html> (last visited Apr. 18, 2016).

<b>Yearly Teacher per-Student Bonuses by Advanced Course</b>			
	<b>IB</b>	<b>AP</b>	<b>AICE</b>
<b>Half Credit</b>			\$25
<b>Full Credit</b>	\$50	\$50	\$50
<b>Full Credit D Or F School</b>	\$500 (per teacher)	\$500 (per teacher)	\$500 (per teacher)
<b>Half Credit D Or F School</b>			\$250 (per teacher)
<b>Max if 50% earn 3 or higher (25% for D or F School)</b>	\$3,000	\$3,000	\$2,000
<b>Max if Not met</b>	\$2,000	\$2,000	\$2,000

### *International Baccalaureate Bonus*

Each school district receives additional funding in the amount of 0.16 weighted full-time equivalent student membership (FTE) for each student enrolled in an International Baccalaureate (IB) course who receives a score of 4 or higher on the subject exam and 0.3 weighted FTE for each student who receives an IB diploma. The school district receives the additional funding in the following school year. Each school district must allocate 80 percent of the additional funding to the program where the funds were generated and to programs that prepare prospective students to enroll in IB courses.<sup>155</sup>

An IB teacher receives a \$50 bonus, from the additional FTE funds generated, for each student who scores 4 or higher on the IB examination. An IB teacher in a “D” or “F” school who has at least one student scoring 4 or higher on the IB examination receives an additional \$500 bonus.<sup>156</sup> The bonus awarded to a teacher may not exceed \$2,000 in any given school year; however, the maximum bonus may be \$3,000 if, in a school designated with a grade of “A,” “B” or “C,” at least 50 percent of the students enrolled in the teacher’s course earn a score of 4 or higher on the examination or if, in a school designated with a grade of “D” or “F,” at least 25 percent of the students enrolled in the teacher’s course earn a score of 4 or higher.<sup>157</sup>

### *Advanced International Certificate of Education Bonus*

Each school district receives additional funding in the amount of 0.16 weighted FTE for each student enrolled in an Advanced International Certificate of Education (AICE) course who receives a score of “E” or higher on the subject exam, 0.08 weighted FTE for each student enrolled in a half-credit AICE course who receives an “E” or higher and 0.3 weighted FTE for each student who receives an AICE diploma. The school district receives the additional funding in the following school year.<sup>158</sup>

An AICE teacher receives a \$50 bonus, from the additional FTE funds generated, for each student in a full-credit AICE course, or \$25 bonus for a student in a half-credit AICE course, who scores “E” or higher on the AICE examination. An AICE teacher in a “D” or “F” school receives an additional \$500 bonus if one of the teacher’s students’ scores “E” or higher on the full-credit AICE examination, or a \$250 bonus for each half-credit AICE course taught which has at least one student scoring “E” or higher on the half-credit AICE examination, not to exceed an additional \$500 bonus.<sup>159</sup> The bonus awarded to a teacher may not exceed \$2,000 in any given school year.<sup>160</sup>

<sup>155</sup> Section 1011.62(1)(l), F.S.

<sup>156</sup> *Id.*

<sup>157</sup> *Id.*

<sup>158</sup> Section 1011.62(1)(m), F.S.

<sup>159</sup> *Id.*

<sup>160</sup> *Id.*



### *Advanced Placement Bonus*

Each school district receives additional funding in the amount of 0.16 weighted FTE for each student enrolled in an Advanced Placement (AP) course who receives a score of 3 or higher on the College Board Advanced Placement Exam. Each school district must allocate 80 percent of the additional funding to the school that generated the funds for AP instruction.<sup>161</sup>

An AP teacher receives a \$50 bonus, from the additional FTE funds generated, for each of his or her students who scores 3 or higher on the College Board AP examination. An AP teacher in a “D” or “F” school who has at least one student scoring 3 or higher on the College Board AP examination receives an additional \$500 bonus.<sup>162</sup> The bonus awarded to a teacher may not exceed \$2,000 in any given school year; however, the maximum bonus may be \$3,000 if, in a school designated with a grade of “A,” “B” or “C,” at least 50 percent of the students enrolled in the teacher’s course earn a score of 3 or higher on the examination or if, in a school designated with a grade of “D” or “F,” at least 25 percent of the students enrolled in the teacher’s course earn a score of 3 or higher.<sup>163</sup>

### *Additional Bonuses*

Teachers of courses that lead to the attainment of a Career and Professional Education (CAPE) industry certification receive an additional bonus. Depending on the certification earned, a school district receives bonus funding of 0.1, 0.2, 0.3, 0.5, or 1.0 weighted FTE. At least 80 percent of the additional funding received by the district must be allocated to the program that generated the funding.<sup>164</sup> Teacher bonus funding is awarded, from the additional FTE funds generated, for each student taught by a teacher who provided instruction in a course that led to the student’s attainment of a CAPE industry certification on the CAPE Industry Certification Funding List, as follows:

- A bonus in the amount of \$25 is awarded for a course with a weight of 0.1.<sup>165</sup>
- A bonus in the amount of \$50 is awarded for a course with a weight of 0.2.<sup>166</sup>
- A bonus in the amount of \$75 is awarded for a course with a weight of 0.3.<sup>167</sup>
- A bonus in the amount of \$100 is awarded for a course with a weight of 0.5 or 1.0.<sup>168</sup>

CAPE industry certification bonuses may not exceed \$3,000 to a teacher in any given school year.<sup>169</sup>

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<sup>161</sup> Section 1011.62(1)(n), F.S.

<sup>162</sup> *Id.*

<sup>163</sup> *Id.*

<sup>164</sup> Section 1011.62 (1)(o), F.S.

<sup>165</sup> *Id.*

<sup>166</sup> *Id.*

<sup>167</sup> Section 1011.62(1)(o), F.S.

<sup>168</sup> *Id.*

<sup>169</sup> *Id.*

Yearly Teacher per-Student CAPE Bonuses		
Weight	Type	Amount
0.1 FTE	CAPE Industry Cert Does Not Articulate	\$25
0.2 FTE	CAPE Industry Cert Articulates to College Credit	\$50
0.3 FTE	CAPE Innovation Course <sup>170</sup>	\$75
0.5 FTE	CAPE Acceleration Industry Cert Articulates to 15-29 College Credit Hours <sup>171</sup>	\$100
1.0 FTE	CAPE Acceleration Industry Cert Articulates to 30+ College Credit Hours	\$100
<b>Max Yearly CAPE Bonus</b>		<b>\$3,000</b>

### Effect of Proposed Changes

The bill removes the \$2,000 and \$3,000 yearly teacher bonus limits for the IB and AP assessments and removes the \$3,000 CAPE industry certification teacher bonus limit.

The bill also removes the \$500 half-credit yearly AICE teacher bonus limit and the \$2,000 yearly teacher bonus limit. The bill also requires the district to allocate at least 80 percent of the AICE exam bonus funds to the program that generates the funds.

### **Student Eligibility for Virtual Instruction**

#### Present Situation

Florida law establishes a variety of options to make virtual instruction accessible to K-12 students. These options include:

- full-time or part-time enrollment in a school district virtual instruction program (VIP);<sup>172</sup>
- full-time enrollment in a virtual charter school;<sup>173</sup>
- enrollment in individual virtual courses offered by school districts and approved by DOE;<sup>174</sup> and
- full-time or part-time enrollment in the Florida Virtual School (FLVS) or school district FLVS franchises<sup>175</sup>

Student enrollment in a full-time or part-time school district VIP, a full-time virtual charter school or a school district virtual course offering is open to any student residing in the district who:<sup>176</sup>

- attended a Florida public school during the prior year and was enrolled and reported for funding during the October and February Florida Education Finance Program (FEFP) surveys;
- is the dependent child of a member of the U.S. military who, within 12 months of the parent's permanent change of station order, transferred to Florida from another state or from a foreign country;

<sup>170</sup> A CAPE Innovation course is one of up to five courses annually approved by the Commissioner of Education that combines academic career content and incorporates at least two third-party assessments that, if completed successfully by the student, articulate to college credit. See s. 1003.4203(5)(a), F.S. For a list of approved courses, see Florida Department of Education, *CAPE Innovation Courses*, <http://www.fldoe.org/academics/career-adult-edu/cape-secondary/innovation.stml> (last visited May 2, 2016).

<sup>171</sup> A CAPE Acceleration industry certification is one annually approved by the Commissioner of Education that articulates to 15 or more college credits. See s. 101.62(5)(b), F.S.

<sup>172</sup> Section 1002.45, F.S.

<sup>173</sup> Sections 1002.33(1) and 1002.45(1)(d), F.S.

<sup>174</sup> Section 1003.498, F.S.

<sup>175</sup> Sections 1002.37 and 1002.45(1)(a)1. and (c)1., F.S.

<sup>176</sup> Sections 1002.45(5) and 1002.455(2), F.S.

- was enrolled in a school district VIP or a full-time FLVS program during the prior school year;
- has a sibling who is currently enrolled in a school district VIP and the sibling was enrolled in such program at the end of the prior school year;
- is eligible to enter kindergarten or first grade; or
- is eligible to enter grades 2 through 5 and is enrolled full-time in a school district VIP, virtual charter school or FLVS.<sup>177</sup>

FLVS or a district FLVS franchise may provide full-time and part-time instruction for K-12 students. However, students in kindergarten through grade 5 must meet at least one of the eligibility criteria listed above to access part-time instruction in such programs.<sup>178</sup>

Eligibility for Virtual Instruction Students Not Enrolled in Public School During the Previous School Year							
Grade Level	Full-Time			Part-Time			
	FLVS	District VIP	District FLVS Franchise	FLVS	District VIP	District FLVS Franchise	District Virtual Course
K							
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
<b>KEY</b>							
	Student is Eligible						
	Student must meet prior public school requirement						
	No part-time virtual options for students who were not enrolled in public school during the prior year						

Consequently, students in 2nd through 5th grades are not eligible for enrollment in part-time virtual instruction unless they were enrolled in public school in the prior year or are dependent children of military personnel, or have a sibling currently enrolled in a VIP and the sibling was enrolled at the end of the prior year.<sup>179</sup>

Effect of Proposed Changes

The bill provides that all K-12 students, including home education and private school students, are eligible for full-time and part-time virtual instruction programs including:

- full-time or part-time enrollment in a school district VIP;
- full-time enrollment in a virtual charter school;

<sup>177</sup> Section 1002.455(2), F.S.  
<sup>178</sup> Section 1002.37(8)(a), F.S.  
<sup>179</sup> Section 1002.455(2), F.S.  
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- enrollment in individual virtual courses offered by school districts and approved by the DOE; and,
- full-time or part-time enrollment in the FLVS or school district FLVS franchises.

This change will open various virtual education options that are not currently available to students who did not attend public school in the prior year, as follows:

- Students in 6th through 12th grades may enroll in full-time school district VIP programs.
- Students in 2nd through 5th grades may enroll in part-time FLVS or district FLVS franchises.
- Students in 2nd through 12th grades may enroll in part-time school district VIP.
- Students in 2nd through 12th grades may enroll in school district virtual course offerings.

Most notably, this change gives students in 2nd through 5th grades who did not attend public school in the prior year the ability to enroll in part-time virtual instruction, whereas under current law, these students have no such options.

## Visitation of Schools

### Present Situation

The law specifies that it is a power and duty of a district school board to visit the schools in its district, observe the management and instruction, give suggestions for improvement, and advise citizens with the view of promoting interest in education and improving the school.<sup>180</sup> The policies for visitation may vary by school in each district, which may lead to confusion with respect to school board members' rights to visit school campuses in accordance with their statutory duties.

### Effect of Proposed Changes

The bill expressly provides that a school board member shall be permitted to visit a district school without an appointment.

## High-Performing Charter Schools

### Present Situation

A high-performing charter school is a charter school that during each of the three previous years:

- received at least two school grades of "A" and no school grade below "B;"
- has received an unqualified opinion on each annual financial audit; and
- has not received an annual financial audit that reveals a financial emergency condition.<sup>181</sup>

A high-performing charter school may, in any school district in the state, submit an application to establish a new charter school that replicates its educational program. The application must indicate that the charter school is "high-performing" and include the commissioner's eligibility letter.<sup>182</sup> Such applications may only be denied under certain circumstances.<sup>183</sup> A high-performing charter school may

<sup>180</sup> Section 1001.42(27), F.S.

<sup>181</sup> Section 1002.331(1), F.S. A financial emergency condition includes failure to pay short-term loans, make bond debt service or pay long-term debt payments due to lack of funds; failure to pay uncontested creditor claims within 90 days; failure to pay withheld employee income taxes or make employer contributions to social security or pensions; or failure for one pay period to pay wages, salaries, and retirement benefits owed. Section 218.503(1), F.S. A charter school in the workplace satisfies audit requirements if the auditor finds that sufficient monetary resources are available to cover any reported deficiency or if the deficiency does not result in a deteriorating financial condition. Section 1002.331(1)(c), F.S. A "deteriorating financial condition" is a circumstance that significantly impairs the ability of a charter school to generate enough revenues to meet its expenditures without causing the occurrence of a financial emergency condition described in s. 218.503(1), F.S. Section 1002.345(1)(a)3., F.S.

<sup>182</sup> Section 1002.331(3)(a), F.S.

<sup>183</sup> Section 1002.33(6)(b)3.b., F.S.

only establish one charter school in a year. A subsequent application to establish a charter school may only be submitted when each charter school established through replication achieves high-performing charter school status.<sup>184</sup>

If the sponsor denies an application submitted by a high-performing charter school, the sponsor must, within 10 calendar days after such denial, state in writing the specific reasons supporting the denial and must provide the letter of denial and supporting documentation to the applicant and to the DOE. The applicant may appeal the sponsor's denial of the application directly to the State Board of Education (SBE).<sup>185</sup>

### Effect of Proposed Changes

The bill allows a high-performing charter school to establish more than one charter school a year only if it chooses to operate in an area of a persistently low-performing school and serves students from that school. The bill defines “persistently low-performing school” to mean a school that has earned three consecutive grades lower than a “C” or a school that was closed in accordance with school turnaround requirements.<sup>186</sup>

The bill provides a high-performing charter school whose application has been denied a hearing by requiring that an appeal of such denial be brought before the Charter School Appeals Commission. The commission will make a recommendation to the SBE in accordance with current law.

## **High-Performing Charter School System**

### Present Situation

A high-performing charter school system is an entity that:

- operated at least three high-performing charter schools in the state during each of the previous 3 school years;
- operated a system of charter schools in which at least 50 percent of the charter schools were high-performing charter schools and no charter school earned a school grade of “D” or “F” in any of the previous 3 school years regardless of whether the entity currently operates the charter school, with specified exceptions; and
- did not receive a financial audit that revealed one or more of the financial emergency conditions for any charter school assumed or established by the entity in the most recent 3 fiscal years for which such audits are available.<sup>187</sup>

A high-performing charter school system may replicate its high-performing charter schools using the current application process outlined in law.<sup>188</sup>

### Effect of Proposed Changes

The bill clarifies that a high-performing system may replicate a school in any district in the state and establishes a streamlined high-performing standard application form for replicating a high-performing charter school.

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<sup>184</sup> Section 1002.331(3)(b), F.S.

<sup>185</sup> Section 1002.33(6)(b)3.c., F.S.

<sup>186</sup> See s. 1008.33(4), F.S.

<sup>187</sup> Section 1002.332(1)(b), F.S.

<sup>188</sup> Section 1002.332(2), F.S.

The bill requires the high-performing standard application form to:

- contain goals and objectives for improving and measuring student learning, including the expected amount of student yearly academic improvement, methods for evaluating success and the specific results to be attained through instruction;
- contain an annual financial plan for each year requested by the charter for operation of the school for up to 5 years;
- disclose the name of each applicant, governing board member and all proposed education services providers, the name and sponsor of any charter school operated by each applicant, each governing board member and each proposed education services provider that has closed and the reasons for the closure and the academic and financial history of such charter schools, which the sponsor shall consider in deciding whether to approve or deny the application.

The bill requires the review, approval, denial and appeals process for standard high-performing replication applications to comply with current processes in law.

## **Other Provisions**

### Dual Enrollment Program Eligibility

The bill removes the requirement that an eligible dual enrollment program be located and chartered in Florida and revises eligibility requirements for postsecondary institutions to participate in dual enrollment by requiring that the institution be accredited by any regional or national accrediting agency recognized by the U.S. DOE rather than only the Commission of Colleges of the Southern Association of Colleges and Schools or the Accrediting Council for Independent Colleges and Schools.

### Competency-Based Education Pilot Program

The bill deletes a provision requiring the State Board of Education to adopt rules to administer the Competency-Based Education Pilot Program. The provision is deleted because administering the program does not require any rulemaking.

### Charter School Enrollment

The bill expressly exempts a charter school from controlled open enrollment provisions if the school complies with the statutory requirement that it be open to any student covered in an interdistrict agreement or residing in the school district in which the charter school is located.

### School Improvement Strategies

Schools that receive a school grade of “D” or “F” are considered in need of intervention and support through a differentiated matrix of intervention and support strategies adopted in rule by the State Board of Education.<sup>189</sup> The bill revises requirements related to the matrix of intervention and support strategies to include curriculum alignment across grade levels to improve background knowledge in social studies, science, and the arts.

## **B. SECTION DIRECTORY:**

Section 1. Amends s. 1003.4282, F.S., deleting a provision requiring certain students to take the Algebra II end-of-course assessment; allowing blended learning to satisfy online course requirement.

Section 2. Amends s. 1003.4285, F.S., deleting a provision requiring students to pass the Algebra II end-of-course assessment in order to earn a Scholar designation.

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<sup>189</sup> See s. 1008.33(2) and (3), F.S.; rule 6A-1.099811, F.A.C.

Section 3. Amends s. 1008.22, F.S., deleting a provision requiring the Algebra II end-of-course assessment to be administered; revising requirements relating to the administration and format of assessments; providing requirements for administration of the statewide, standardized English Language Arts and mathematics assessments in specified grades; revising provisions relating to reporting requirements for school district-required local assessments; providing reporting requirements for certain student assessment results; requiring the Department of Education to publish certain assessments on its website; providing requirements for such publication; requiring the department to provide materials regarding assessment information on its website; conforming cross-references.

Section 4. Amends s. 1012.34, F.S., requiring third-party analysis of student learning growth measures.

Section 5. Requires the Commissioner of Education to contract for an independent study to determine whether specified college entrance examinations may be administered in lieu of certain state-required assessments; requiring the commissioner to submit a report on the results of such study to the Governor, Legislature, and State Board of Education by a specified date.

Section 6. Provides appropriations.

Section 7. Amends s. 1003.4156, F.S., deleting requirements related to the career and education planning course for middle grades promotion.

Section 8. Amends s. 1001.42, F.S., F.S., revising school board member authority to visit schools.

Section 9. Amends s. 1002.37, F.S., deleting a provision restricting certain students from participating in Florida Virtual School.

Section 10. Amends s. 1002.455, F.S., authorizing all students, including home education and private school students, to participate in specified virtual instruction options; deleting the eligibility criteria for a student to participate in virtual instruction.

Section 11. Amends s. 1002.45, F.S., conforming a provision.

Section 12. Amends s. 1003.498, F.S., conforming a provision.

Section 13. Amends s. 1006.40, F.S., revising provisions relating to the use of the instructional materials allocation.

Section 14. Amends s. 1012.56, F.S., requiring the Department of Education to issue a temporary educator certificate within a specified period; requiring the department to provide electronic notice of the issuance of a temporary certificate to specified entities; requiring the department to provide the applicant an official statement of status of eligibility upon issuance of a temporary certificate; providing content requirements for the statement of status of eligibility; revising the criteria instructional personnel must meet to be issued a professional certificate; providing that an applicant for professional certification is not required to take or pass a specified examination under certain circumstances; requiring the department to provide electronic notification of the expiration of a temporary educator certificate; requiring the State Board of Education to adopt rules providing for the extension of a temporary educator certificate for a specified period under certain circumstances; authorizing charter schools and charter management organizations to develop a professional development certification and education competency program; revising program requirements; requiring the department to adopt standards for the approval of such programs by a specified date; providing requirements for such standards; requiring each school district and charter school to submit its program for approval by a specified date; providing that certification requirements may not be met in a program that is not approved by the department after a specified date.

Section 15. Amends s. 1001.215, F.S., revising the duties of the Just Read, Florida! Office.

Section 16. Amends s. 1004.04, F.S., revising core curricula requirements for certain teacher preparation programs to include certain reading instruction and interventions.

Section 17. Amends s. 1004.85, F.S., requiring certain educator preparation institutes to provide evidence of specified reading instruction as a condition of program approval and continued approval.

Section 18. Amends s. 1012.585, F.S., revising requirements for renewal of professional teaching certificates.

Section 19. Amends s. 1012.586, F.S., authorizing the department to recommend consolidation of endorsement areas and requirements for endorsements for teacher certificates; requiring the department to review and make recommendations regarding certain subject coverage or endorsement requirements; providing construction.

Section 20. Amends s. 1012.98, F.S., revising duties and requirements for implementation of the School Community Professional Development Act; revising the activities designed to implement the school community professional development act to include specified training relating to a professional development certification and education competency program; revising requirements for school district professional development systems; requiring the department to disseminate professional development programs that meet specified criteria.

Section 21. Amends s. 1002.33, F.S., authorizing a charter school to be exempt from provisions relating to controlled open enrollment under certain circumstances.

Section 22. Amends s. 1011.62, F.S., deleting provisions relating to caps imposed on the amounts of bonuses awarded to teachers based on student performance on certain course examinations; providing that a specified amount of funds generated by a certain bonus be allocated to the school program that generated the funds; revising eligibility criteria for postsecondary institutions to participate in the dual enrollment and early admission programs.

Section 23. Amends s. 1003.4996, F.S., removing the requirement that Department of Education promulgate rules regarding the Competency-Based Education Pilot Program.

Section 24. Amends s. 1011.71, F.S., revising payout for sick or annual leave in specified circumstances.

Section 25. Amends s. 1008.33, F.S., revises provisions relating to support strategies for certain schools.

Section 26. Amends s. 1002.331, F.S., revising provisions related to an application; allowing a high-performing charter to establish more than one school under certain circumstances

Section 27. Amends s. 1002.332, F.S., revising provisions related to the replication of charter schools by a high-performing charter school system.

Section 28. Providing an effective date.



## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill has a fiscal impact of \$339,611 in nonrecurring General Revenue funds for the independent assessment study and appropriates recurring General Revenue as follows: \$1,247,251 to implement student assessment performance reports; \$11.2 million to implement paper-based state assessments for grades 3 through 6; \$3.4 million to implement provisions relating to student learning growth data; and \$3,085,978 for the release of state assessments.

According to the Department of Education, the elimination of the Algebra II EOC assessment would result in a cost savings of approximately \$1.3 million per year.

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

None.

### C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The bill may result in cost savings to teachers who participate in a professional development certification program because they would not be required to enroll in additional college coursework or take the Professional Education Test to earn their professional certificate.

### D. FISCAL COMMENTS:

While the Department of Education indicated an additional FTE would be required to review and approve districts' professional development certification programs, insufficient data was provided to substantiate the request.

## III. COMMENTS

### A. CONSTITUTIONAL ISSUES:

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

### B. RULE-MAKING AUTHORITY:

The bill deletes State Board of Education rulemaking authority with respect to the Competency-Based Education Pilot Program because the authority is unnecessary for administration of the program.

### C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

### IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES

On March 28, 2017, the PreK-12 Appropriations Subcommittee adopted one amendment and reported the bill favorably as a committee substitute. The amendment provides an appropriation of \$339,611 of nonrecurring General Revenue to fund the provision of Section 1 of the bill. The amendment also provides an appropriation of \$1,247,251 of recurring General Revenue to fund the provision of Section 2 of the bill.

On April 24, 2017, the Education Committee adopted a strike all amendment as amended and reported the bill favorably as a committee substitute. The amendment:

- revises provisions related to the statewide assessment program;
- includes provisions requiring the Commissioner of Education to publish each statewide, standardized assessment on the DOE's website at least once every 3 years;
- revises provisions relating to the student learning growth formula by requiring an independent third party to verify the suitability of state assessment results for annual learning growth measures and by requiring the commissioner to provide schools access to student learning growth data in an understandable format;
- requires the commissioner to contract an independent study to determine whether the SAT and ACT may be used in lieu of the grade 10 ELA assessment and the Algebra I EOC assessment as allowed by federal law;
- revises the requirements for a district professional development certification and educator competence program to establish a mentorship-based certification pathway;
- streamlines the temporary certificate application process and revises provisions related to the expiration of a temporary certificate;
- revises teacher preparation and certification requirements and related provisions to provide teachers training in effective, evidence-based reading instruction and intervention strategies;
- requires the Just Read, Florida! Office to provide training in effective, evidence-based reading instruction and intervention strategies, including integrating content knowledge-rich texts from other core subject areas in order to develop student background knowledge;
- provides that all K-12 students, including home education and private school students, are eligible for full-time and part-time virtual instruction programs;
- expressly provides that a school board member shall be permitted to visit a district school without an appointment;
- eliminates statutory caps on certain teacher bonuses;
- allows a student to satisfy the online course requirement through an online or blended learning course and removes passage of an online content assessment as an option to fulfill the online course requirement;
- revises provisions relating to the use of instructional materials allocation funds by deleting the requirement that at least 50 percent of the annual allocation amount be used to purchase digital or electronic instructional materials;
- deletes the requirement for middle grade students to complete a course in career and education planning;
- removes the requirement that an eligible dual enrollment program be located and chartered in Florida and revises eligibility requirements for postsecondary institutions to participate in dual enrollment by requiring that the institution be accredited by any regional or national accrediting agency recognized by the U.S. DOE;
- deletes a provision requiring the State Board of Education to adopt rules to administer the Competency-Based Education Pilot Program;
- clarifies when the controlled open enrollment process applies to charter schools; and
- revises requirements related to school improvement strategies.

The analysis is drafted to reflect the bill as amended by the Education Committee.