

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** HB 7011      PCB ELE 21-01      Student Literacy  
**SPONSOR(S):** Early Learning & Elementary Education Subcommittee, Aloupis  
**TIED BILLS:**            **IDEN./SIM. BILLS:** SB 1898

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Early Learning & Elementary Education Subcommittee	16 Y, 0 N	Wolff	Brink
1) PreK-12 Appropriations Subcommittee	13 Y, 0 N	Bailey	Potvin
2) Education & Employment Committee			

### SUMMARY ANALYSIS

Research shows that implementation of science-based reading instruction, i.e., evidence-based practices supported by student outcomes, is the most effective way to teach children how to read, even children with learning difficulties such as dyslexia. Parental involvement and a literacy-rich home environment have also been shown to improve student literacy skills.

The bill requires the implementation of a Voluntary Prekindergarten through grade 8 Progress Monitoring System beginning in the 2022-2023 school year. The system must be designed to provide Florida educators with sufficient, high quality data to identify students with substantial deficiencies in reading and monitor the effectiveness of interventions through continuous data collection.

The bill establishes the Reading Achievement Initiative for Scholastic Excellence (RAISE) Program, a system of statewide literacy supports provided through 20 regional literacy expert support teams. The teams must support schools identified as requiring assistance based on data from the progress monitoring system and results from statewide, standardized English Language Arts assessments. Supports must include the provision of evidence-based professional development and implementation of data-informed instruction using high-quality instructional materials as well as effective interventions through the school's multi-tiered system of supports, and school improvement plans and school district reading plans.

The bill supports implementation of these programs by enhancing evidence-based teacher and administrator training, requiring that the reading endorsement credential be updated, and providing for a new pathway to earn the reading endorsement. The bill requires the Just Read, Florida! Office to identify, as part of the instructional materials adoption process, instructional materials that implement evidence-based practices and are accompanied by appropriate professional development and streamlines the process by which school districts adopt identified instructional materials.

To support parents, the bill requires that school districts keep parents of struggling readers informed of their students' progress and the effectiveness of interventions, provide them materials explaining the exceptional student education process, and notify parents of students who are evaluated for exceptional education services or who require accommodations of school choice options. The bill also requires the Office of Early Learning and early learning coalitions to provide guidance and planning to assist with the transition from prekindergarten to kindergarten.

The bill will have a fiscal impact for the implementation of the progress monitoring system and the RAISE program literacy supports. See Fiscal Analysis & Economic Impact Statement Section.

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

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Background

In 2000, the National Reading Panel issued a final report after a years' long analysis of available research on how children learn to read and the most effective reading instruction methods.<sup>1</sup> The science of reading, supported by the findings of the National Reading Panel, focuses on teaching in five components of reading: phonemic awareness; phonics; fluency; vocabulary; and comprehension.<sup>2</sup> Research shows that instruction based on the science of reading is proven to provide students the foundational skills needed to learn to read, even for those students with reading difficulties, such as those with dyslexia.<sup>3</sup>

In response to the report's findings, Florida made sweeping policy changes to incorporate the science of reading into public school instruction. Florida implemented the Just Read, Florida! initiative;<sup>4</sup> a kindergarten through grade 3 reading policy, including a policy for retaining 3<sup>rd</sup> grade students who read far below grade level;<sup>5</sup> the federal Reading First program (funded by a grant from the United States Department of Education);<sup>6</sup> and established the reading endorsement credential to recognize teachers who complete extensive training based on the science of reading.<sup>7</sup> In 2006, Florida implemented the requirements for the school district Comprehensive Research-Based Reading Plans (CERP) and established the Just Read, Florida! Office (JRFO) within the Florida Department of Education (DOE) to monitor and assist with statewide implementation.<sup>8</sup>

Florida's efforts to improve reading instruction were reflected in the state's results on the National Assessment of Education Progress (NAEP), an assessment administered nationally every 2 years to measure student knowledge across subject areas.<sup>9</sup> Florida's 4<sup>th</sup> grade reading scores improved significantly between the 1998 and the 2007 assessments, with the average score rising 18 points, and surpassing the national average.<sup>10</sup> However, since the 2007 NAEP, Florida's reading results, after a period of continued improvement, regressed to near 2007 levels based on the 2019 administration of the assessment.<sup>11</sup>

In 2017, in order to help more students receive evidence-based instruction from highly trained instructional personnel, the Legislature required that the JRFO:

- identify proven reading instruction and intervention programs that incorporate explicit systematic, and sequential approaches to evidence-based instruction;

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<sup>1</sup> National Reading Panel, *Teaching Children to Read: An Evidence-Based Assessment of the Scientific Research Literature on Reading and Its Implications for Reading Instruction* (Apr. 13, 2000), available at <https://www.nichd.nih.gov/sites/default/files/publications/pubs/nrp/Documents/report.pdf> (last visited Feb. 25, 2021).

<sup>2</sup> Kymyona Burk, Ed.D, Foundation for Excellence in Education, *How the Science of Reading is Transforming Education and Opportunities for All Students*, presentation before the Early Learning & Elementary Education Subcommittee, (Jan. 14, 2021).

<sup>3</sup> *Id.* (As described in the National Reading Panel Report and summarized by Dr. Burk in her presentation to the subcommittee, instruction and interventions based on the science of reading are evidence-based instruction and interventions.)

<sup>4</sup> The initiative was established by Governor Jeb Bush in 2001. *See* Exec. Order No. 01-260 (2001).

<sup>5</sup> Section 1008.25, F.S. The law requires that 3<sup>rd</sup> grade students that are severely below grade-level, and do not qualify for a good cause exemption, must be retained. Students are severely below grade-level if they fail to achieve a Level 2 or higher on the statewide standardized English Language Arts assessment. Students retained under this provision must receive intensive interventions and be taught by a highly effective teacher certified or endorsed in reading. *See* s. 1008.25(5) and (7), F.S.

<sup>6</sup> Cari Miller, Florida Department of Education, Office of Early Learning, *Overview of Literacy Policy and Practice to Support Educators & Improve Student Outcomes*, presentation before the Early Learning & Elementary Education Subcommittee, (Feb. 16, 2021).

<sup>7</sup> *Id.*

<sup>8</sup> *See* s. 1011.62, F.S., and ss. 8 and 50, ch. 2006-74, L.O.F.

<sup>9</sup> Kymyona Burk, Ed.D, Foundation for Excellence in Education, *How the Science of Reading is Transforming Education and Opportunities for All Students*, presentation before the Early Learning & Elementary Education Subcommittee, (Jan. 14, 2021).

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

- coordinate with the Lastinger Center for learning at the University of Florida (Lastinger Center) to develop training for teachers, reading coaches, and principals on integration content knowledge-rich texts from other core subject areas into reading instruction and evidence-based reading strategies; and
- review teacher certification and alternative certification requirements to determine whether skills needed for evidence-based reading instruction are measured.<sup>12</sup>

The Legislature also required the DOE to review, by July 1, 2018, and at least once every 5 years thereafter, specialization and coverage area requirements in the elementary, reading, and exceptional student educational areas and recommend updates based upon any instructional or intervention strategies identified by the DOE as proven to improve student reading performance.<sup>13</sup> Additionally, the uniform core curricula used by teacher preparation programs and educator preparation institutes must include scientifically researched and evidence-based reading instruction strategies that improve reading performance for all students.<sup>14</sup> Full implementation of these policies has yet to occur and their impact on instructional quality and student learning remains unclear.

## **Teacher Training and Certification related to Evidence-based Practices**

### Present Situation

#### *Teacher Training in Evidence-based Practices*

Effective implementation of evidence-based instruction relies on a teacher's use of assessment and data analysis to monitor student progress and guide instruction.<sup>15</sup> Such instruction develops and facilitates students' development in the five components of reading and must be differentiated to each student based on his or her needs.<sup>16</sup> To assist with uniform implementation of effective instruction, the DOE implemented a Multi-Tiered System of Supports (MTSS) for providing interventions through targeted instruction and supplemental supports to students who require additional assistance with reading.<sup>17</sup> Florida's MTSS tailors instruction and supports to the needs of each student through a continual process of implementing interventions and evaluating the effectiveness of those interventions.<sup>18</sup> Interventions include additional instruction time, narrowed focus of lessons, and reduced group size, including one-on-one instruction.<sup>19</sup>

In Florida, there are several ways in which instructional personnel who teach reading receive reading instruction and intervention training, both through preservice preparation and in-service professional development.

#### *Teacher Preparation Curricula*

Current law requires teacher preparation programs and teacher preparation institutes to use state-adopted content standards to guide their curricula.<sup>20</sup> The programs must also provide scientifically researched and evidence-based reading instructional strategies that improve reading performance for

<sup>12</sup> Section 16, ch. 2017-116, L.O.F.

<sup>13</sup> Section 12, ch. 2017-116, L.O.F.

<sup>14</sup> Sections 9 and 10, ch. 2017-116, L.O.F.

<sup>15</sup> Cari Miller, Florida Department of Education, Office of Early Learning, *Overview of Literacy Policy and Practice to Support Educators & Improve Student Outcomes*, presentation before the Early Learning & Elementary Education Subcommittee, (Feb. 16, 2021).

<sup>16</sup> *Id.*

<sup>17</sup> Florida Department of Education, *Florida's MTSS*, <http://florida-rti.org/floridaMTSS/index.htm> (last visited Feb. 28, 2021).

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

<sup>19</sup> Florida Department of Education, *Reading Instruction Resources*, <http://www.fldoe.org/academics/standards/just-read-fl/reading-intervention.shtml> (last visited Feb. 28, 2021).

<sup>20</sup> Sections 1004.04(2)(b) and 1004.85(3)(a), F.S.

all students including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and comprehension and multisensory intervention strategies.<sup>21</sup> The State Board of Education (SBE) adopted the definition of the Uniform Core Curricula in rule, incorporating the above requirements in law.<sup>22</sup>

Although the law establishes requirements for school district personnel who supervise a preservice teacher's clinical field experience, including clinical educator training, a "highly effective" or "effective" rating, and at least 3 years of prekindergarten through 12 teaching experience, there is no requirement that the teacher have completed any specialized reading instruction.<sup>23</sup> It is unknown how many clinical supervisors who work with interns in a setting that requires teaching reading have received adequate training in evidence-based reading instruction and intervention practices.

### *Professional Development*

Each school district professional development system is required to provide in-service activities and support targeted to the individual needs of teachers.<sup>24</sup> Each school district's professional development system must provide for 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.<sup>25</sup>

All elementary grades instructional personnel must be provided access to sufficient training so they can meet certification or endorsement requirements established by the SBE with respect to reading instruction and intervention.<sup>26</sup>

Additionally, the JRFO was established to implement the Just Read, Florida! initiative, which aimed to help students become successful, independent readers.<sup>27</sup> Among other things, the JRFO must:

- work with the Lastinger Center to develop training for K-12 teachers, reading coaches, and school principals on effective content-area-specific reading strategies and the integration of content-rich curriculum from other core subject areas into reading instruction;
- develop and provide access to sequenced, content-rich curriculum programming, instructional practices, and resources that help elementary schools use state-adopted instructional materials to increase students' background knowledge and literacy skills; and
- work with the Florida Center for Reading Research to identify scientifically researched and evidence-based reading instructional and intervention programs that incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and incorporate decodable or phonetic text instructional strategies.<sup>28</sup>

The William Cecil Golden Professional Development Program for School Leaders is a collaborative network of state and national professional leadership organizations for school principals. The program is designed to respond to Florida's needs for quality school leadership and support the efforts of school leaders in improving instruction and student achievement and developing and retaining quality

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<sup>21</sup> *Id.*

<sup>22</sup> Rule 6A-5.066(1)(ii), F.A.C.

<sup>23</sup> *See* s. 1004.04(5)(b)1., F.S.

<sup>24</sup> Section 1012.98(4)(b)4., F.S.

<sup>25</sup> Section 1012.98(4)(b)11., FS.

<sup>26</sup> *Id.*

<sup>27</sup> Section 8, ch. 2006-74, L.O.F. The initiative was established by Governor Jeb Bush in 2001. *See* Exec. Order No. 01-260 (2001).

<sup>28</sup> *See* s. 1001.215(3), (4), and (8), F.S. Reading intervention includes evidence-based strategies frequently used to remediate reading deficiencies and includes, but is not limited to, individual instruction, multisensory approaches, tutoring, mentoring, or the use of technology that targets specific reading skills and abilities. Section 1001.215(8), F.S.

teachers. Professional development provided through the program must be based upon the Florida Principal Leadership Standards and other school leadership standards.<sup>29</sup>

### *Florida's Reading Endorsement*

The reading endorsement was initially established in 2002 to recognize teachers that received explicit training in the implementation of evidence-based instruction and have demonstrated the ability to effectively implement those practices to improve students' ability to read.<sup>30</sup> The reading endorsement includes the following, taught over 300 hours of instruction:

- foundations of reading;
- application of research-based reading instructional practices;
- foundations of assessment;
- foundations and application of differentiated instruction; and
- demonstration of accomplishment (practicum).<sup>31</sup>

Current law requires that the DOE conduct a review of existing subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas at least once every 5 years.<sup>32</sup> Although the DOE reviewed the reading endorsement competencies in 2018, the 2011 competencies were reaffirmed as an appropriate basis for the reading endorsement.<sup>33</sup>

There are four pathways to earn a reading endorsement:

- Completing 15 semester hours in college-level reading coursework rooted in scientifically based reading research with a focus on both preventions and remediation of reading difficulties.
- Completing the coursework/training through a school district's approved reading endorsement add-on program.<sup>34</sup>
- Obtaining a certificate from an approved internationally known organization with a reputation for setting reading standards.
- Passing the K-12 Reading Certification Subject Area Exam administered by the DOE.<sup>35</sup>

As a result of the requirement that the JRFO work with the Lastinger Center to develop training in evidence-based practices, the Literacy Matrix was created to provide a systematic way for teachers to demonstrate mastery of each reading endorsement competency.<sup>36</sup> The matrix is designed to develop teachers' abilities to effectively teach reading, identify reading difficulties, and provide appropriate interventions.<sup>37</sup> The literacy matrix is composed of six subject areas (phonological awareness, decoding I, decoding II, fluency, vocabulary, and comprehension) and 5 competencies (foundations of reading; instructional practices; assessment of reading; intervention; and demonstration of accomplishment).<sup>38</sup> Currently, the matrix is being used to help provide reading endorsement training as part of the supports provided under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).<sup>39</sup>

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<sup>29</sup> Section 1012.986(1)-(2), F.S.

<sup>30</sup> Cari Miller, Florida Department of Education, Office of Early Learning, *Overview of Literacy Policy and Practice to Support Educators & Improve Student Outcomes*, presentation before the Early Learning & Elementary Education Subcommittee, (Feb. 16, 2021).

<sup>31</sup> Florida Department of Education, *Reading Endorsement Competencies 2011*, available at <http://www.fldoe.org/core/fileparse.php/7539/urlt/Reading-Endorsement-Competencies-2011.pdf> (last visited Feb. 25, 2021).

<sup>32</sup> Section 1002.586(1)(b), F.S.

<sup>33</sup> Rule 6A-4.0163(2), F.A.C.

<sup>34</sup> Section 1012.575, F.S. Reading endorsement add-on programs are approved by the DOE on a district-by-district basis.

<sup>35</sup> Cari Miller, Florida Department of Education, Office of Early Learning, *Overview of Literacy Policy and Practice to Support Educators & Improve Student Outcomes*, presentation before the Early Learning & Elementary Education Subcommittee, (Feb. 16, 2021).

<sup>36</sup> Paige C. Pullen, Lastinger Center for Learning at the University of Florida, *The Science of Reading in Action: What it means for Caregivers, Early Childhood Educators, & Teachers*, presentation before the Early Learning & Elementary Education Subcommittee, (Feb 16, 2021).

<sup>37</sup> *Id.*

<sup>38</sup> *Id.* Teachers progress through the matrix by mastering all subject areas of a competency before proceeding to the next competency.

<sup>39</sup> Pub. L. No. 116-136, 134 Stat. 281 (Mar. 27, 2020).

Currently, the only individuals required to have a reading endorsement include:

- teachers teaching summer reading camps;
- teachers providing instruction to retained third grade student;
- teachers providing Tier 3 reading interventions (must achieve the reading endorsement by June 30, 2021); and
- literacy coaches.<sup>40</sup>

### *Teacher Certificate Renewal*

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 DOE.<sup>41</sup> The professional educator certificate is Florida's highest tier of full-time educator certification<sup>42</sup> and must be renewed every 5 years.<sup>43</sup> An educator must submit an application,<sup>44</sup> pay a fee,<sup>45</sup> and earn at least six college credits or 120 in-service points, or a combination of both, during each 5-year validity cycle to renew his or her professional certification.<sup>46</sup> At least three college credits or 60 in-service points must be earned in each subject area for which renewal is sought.<sup>47</sup>

For each area of specialization to be retained on a certificate, the teacher must earn at least three of the required credit hours or equivalent in-service points in the specialization area.<sup>48</sup> Training in other topics such as drug abuse, dropout prevention, or child abuse and neglect may also be applied to certain specialization requirements.<sup>49</sup>

In addition to specialization requirements, each teacher must also earn a minimum of one college credit or the equivalent in-service points in the area of instruction for teaching students with disabilities for renewal of a professional certificate.<sup>50</sup>

The law also provides for specific requirements for certificates and endorsements relating to reading instruction.<sup>51</sup> An applicant must earn at least two college credits or 40 in-service points, or a combination thereof, in the use of evidence based reading instruction in order to renew any of the following coverages:

- Elementary Education (K-6);
- Prekindergarten/Primary Education (age 3 through grade 3);
- Elementary Education (grades 1-6);
- Primary Education (grades K-3);
- English (grades 1-6);

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<sup>40</sup> Rule 6A-6.053, F.A.C. Note: The requirements is generally that the individual must be “certified or endorsed in reading.”

<sup>41</sup> Sections 1012.55(1) and 1002.33(12)(f), F.S.

<sup>42</sup> Rule 6A-4.004(2), F.A.C.

<sup>43</sup> Section 1012.585(2)(a), F.S.

<sup>44</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>45</sup> Rules 6A-4.0051(3)(b) and 6A-4.0012(1)(a)1., F.A.C. The fee for a certification renewal is \$56.

<sup>46</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. In-service points must be earned through participation in state board-approved school district in-service activities. Rule 6A-4.0051(1)(a)1., 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>47</sup> Section 1012.585(3)(a), F.S.

<sup>48</sup> Section 1012.585(3)(a), F.S. Credits or points earned through approved summer institutes may be applied toward the fulfillment of these requirements. In-service points may also be earned by participation in professional growth components approved by the SBE in the district's approved master plan for in-service educational training; however, such points may not be used to satisfy specialization requirements.

<sup>49</sup> See s. 1012.585(3)(a), F.S.

<sup>50</sup> Section 1012.585(3)(e), F.S.

<sup>51</sup> Section 1012.585(3)(d), F.S.

- Middle Grades English (grades 5-9);
- Middle Grades Integrated Curriculum (grades 5-9);
- English (6-12);
- Reading (K-12);
- Reading (Endorsement); and
- English for Speakers of Other Languages (ESOL) (grades K-12).<sup>52</sup>

### *Training for Prekindergarten Teachers*

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

- a CDA issued by the National Credentialing Program of the Council for Professional Recognition, plus five clock hours of training in emergent literacy and successful completion of a student performance standards training course;<sup>53</sup> or
- a credential approved by DCF as being equivalent to or greater than the CDA, plus five clock hours of training in emergent literacy and successful completion of a student performance standards training course.<sup>54</sup>

However, in lieu of the minimum credentials listed above, a prekindergarten instructor for a private prekindergarten provider may hold:

- an educational credential approved by OEL as being equivalent to or greater than any of these educational credentials;
- an associate's or higher degree in child development;
- an associate's or higher degree in an unrelated field, at least 6 credit hours in early childhood education or child development, and at least 480 hours of teaching or providing child care services for children any age from birth through 8 years of age;
- a bachelor's or higher degree in early childhood education, prekindergarten or primary education, preschool education, or family and consumer science; or
- a bachelor's or higher degree in elementary education, if the instructor has been certified to teach children any age from birth through grade 6, regardless of whether the educator certificate is current.<sup>55</sup>

The OEL has additionally developed early learning professional development and career pathways.<sup>56</sup> Professional development and teacher resources are available online, including the VPK Teacher Toolkit, activity plans aligned to the VPK standards, Bright Beginnings resources, and courses developed by the OEL in collaboration with the Lastinger Center, to provide opportunities to earn educator credentials.<sup>57</sup>

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<sup>52</sup> Rule 6A-4.0051(7)(a), F.A.C.

<sup>53</sup> Sections 1002.55(3)(c)1.a. and 2., 1002.59, and 1002.63(4), F.S. Emergent literacy includes oral communication, knowledge of print and letters, phonemic and phonological awareness (recognition that words are made up of sounds), and vocabulary and comprehension development. *Sections* 1002.59 and 1002.67(1)(b), F.S. The emergent literacy training requirement does not apply to individuals who completed required training for staff of child care facilities, family day care homes, and large family child care homes licensed by DCF before the establishment of emergent literacy training courses or April 1, 2005, whichever occurred later. Section 1002.55(3)(c)2., F.S.; *see* ss. 402.305(2)(d)5., 402.313(6), and 402.3131(5), F.S.

<sup>54</sup> Sections 1002.55(3)(c)1.b. and 2. and 1002.59, F.S. An active Birth Through Five Child Care Credential awarded as a Florida Child Care Professional Credential, Florida Department of Education Child Care Apprenticeship Certificate, or Early Childhood Professional Certificate satisfies the staff credential requirement. Florida Department of Children and Families, *Child Care Facility Handbook* (2017), *incorporated by reference in* rule 65C-22.001(7), F.A.C.

<sup>55</sup> Section 1002.55(4), F.S. Although these credentialing requirements appear in the section of law regarding private prekindergarten providers offering the school year program, OEL interprets them to also apply to public school instructors of the school year program. Florida Department of Education, *Technical Assistance Paper: #07-01*, at 2 (Jan. 2007), *available at* <https://info.fldoe.org/docushare/dsweb/Get/Document-4196/07-02att1.pdf> (last visited Feb. 25, 2021).

<sup>56</sup> Section 1002.995, F.S., and Rule 6A-4.735, F.A.C.

<sup>57</sup> *See* Florida Office of Early Learning, *Professional Development*, <http://www.floridaearlylearning.com/vpk/vpk-providers/professional-development-training/vpk-professional-development-teacher-resources> (last visited Mar. 15, 2019). *See also* Early Learning Florida, *Courses*, <https://www.earlylearningflorida.com/catalog> (last visited Mar. 15, 2019).

## Effect of Proposed Changes

### *Florida's Reading Endorsement*

The bill requires the DOE to conduct a review of the reading endorsement competencies and subject area certification examinations for alignment to evidence-based best practices and recommend any necessary changes to the SBE. Following any update, each school district must resubmit, by July 1, 2023, its reading endorsement add-on program for approval by the SBE consistent with the updated competencies. The bill provides that instructional personnel, beginning July 1, 2024, may not earn a reading endorsement simply by passing the K-12 reading certification subject area assessment.

Additionally, the bill requires the DOE to develop at least one statewide, competency-based pathway to earn a reading endorsement. A participant must be able to complete the pathway in person or remotely. The DOE must place a micro credential on a teacher certificate indicating each competency module the teacher successfully completes.

### *Voluntary Prekindergarten Education Program Instruction*

The bill requires the JRFO to work with the OEL in the development of the emergent literacy training for prekindergarten instructors and such training must be consistent with evidence-based strategies for reading instruction. All such courses must be included in any review of existing subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas performed by the DOE.

The bill also revises emergent literacy training to require that instructors at private VPK providers complete three courses in emergent literacy, rather than only one, in order to serve as a lead VPK teacher. Additionally, the teacher must complete at least one qualifying emergent literacy course every 5 years. The required course must be part of the early learning career pathway identified by the DOE.

### *Instructional Personnel and School Administrator Training*

To enable administrators to better observe and evaluate implementation of evidence-based reading instruction and by teachers, the bill requires that the JRFO provide evidence-based reading instruction training to school administrators. The bill requires that JRFO expand their partnership with the Lastinger Center to develop training for all school administrators, not just principals, and to assist with the integration of content-rich curriculum into reading instruction with an emphasis on civic literacy.

Additionally, the bill revises the goals of the William Cecil Golden Professional Development Program shall to include supporting the professional growth of instructional personnel who provide reading instruction and intervention by training school administrators in observing and evaluating instruction aligned with the science of reading.

The bill also requires the DOE to identify professional development opportunities that require a teacher to demonstrate proficiency in a specific classroom practice, with priority for implementing evidence based strategies for reading instruction and intervention strategies. The bill limits teacher training on topics not linked to professional growth and student learning so that they count towards in-service requirements only once per 5-year professional educator certificate validity cycle.

The bill requires, beginning with the 2022-2023 school year, that clinical supervision for interns that teach kindergarten through grade 3, or are in an identified field, be performed by a teacher certified or endorsed in reading.

## **Student Progress Monitoring, Intervention and Parental Support**

### Present Situation

#### *Early Learning and Elementary Supports*

While the SBE is responsible for K-20 public education in the state, Florida's Office of Early Learning (OEL) is responsible for statewide implementation of the School Readiness and Voluntary Prekindergarten Education (VPK) programs.<sup>58</sup> In 2013, the Legislature established the OEL in the Office of Independent Education and Parental Choice at the DOE. The OEL is accountable to the commissioner but has authority to independently exercise all powers, duties, and functions prescribed by law and adopt rules to implement the School Readiness and VPK programs.<sup>59</sup> It oversees local Early Learning Coalitions (ELCs) regarding child enrollment, attendance reporting, and reimbursement of program providers and monitors compliance with program requirements.<sup>60</sup>

Local oversight of the School Readiness and VPK programs is provided by ELCs and school districts, with ELCs responsible for private providers and districts responsible for programs provided by public schools.<sup>61</sup> There are currently 30 ELCs, based on counties or regions, although the law permits the establishment of up to 31 ELCs.<sup>62</sup>

Every VPK provider is required to implement the Florida VPK Assessment that serves as the mandatory pre- and post- assessment for participating VPK students.<sup>63</sup> It is a progress monitoring instrument designed to measure student progress in early literacy, numeracy, and language.<sup>64</sup> The pre-assessment must be administered within the first 30 calendar days of VPK class schedule and the post-assessment must be administered within the final 30 days of the VPK class schedule.<sup>65</sup>

Each school district, within the first 30 days of the school year, must administer a statewide kindergarten screening to each kindergarten student in the school district.<sup>66</sup> The screening must provide objective data concerning each student's readiness for kindergarten and progress in attaining VPK performance standards.<sup>67</sup> The screener adopted by the DOE is Star Early Literacy developed by Renaissance Learning, Inc.<sup>68</sup>

State board rule provides criteria for determining whether a student has a substantial deficiency in reading, which includes the student:

- scoring the lowest level or benchmark on any assessment identified in the school district's approved CERP;
- scoring the lowest achievement level during a progress monitoring assessment identified in the school district's approved CERP; or
- demonstrating through consecutive formative assessments or teacher observation minimum skill levels in one or more areas of phonological awareness; phonics; vocabulary, including oral language skills; reading fluency; and reading comprehension.<sup>69</sup>

Students in kindergarten through 3<sup>rd</sup> grade who are determined to have a substantial deficiency in reading based on any of these criteria must be given intensive reading interventions immediately following the identification of the deficiency.<sup>70</sup> Students who do not achieve a Level 3 or above on the statewide, standardized ELA assessment must be evaluated to determine the nature of the student's

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<sup>58</sup> See ss. 20.15(3)(i)1. and 1001.213, F.S.

<sup>59</sup> Section 1001.213(1)-(2), F.S.

<sup>60</sup> Section 1002.75(2), F.S.

<sup>61</sup> Sections 1002.55(1), 1002.61(1)(a)-(b), 1002.63(1), and 1002.82(1), F.S.

<sup>62</sup> Section 1002.83(1), F.S.; Florida Office of Early Learning, *Early Learning Coalition Directory* (July 11, 2018), available at <http://www.floridaearlylearning.com/Content/Uploads/floridaearlylearning.com/files/ED%20ELAC/6.%20Coalition%20Directory.pdf> (last visited Feb. 25, 2021).

<sup>63</sup> Section 1002.67, F.S. and Rule 6A-1.09433, F.A.C.

<sup>64</sup> Section 1002.67(3)(b), F.S.

<sup>65</sup> Rule 6M-8.620, F.A.C.

<sup>66</sup> Section 1002.69, F.S.

<sup>67</sup> *Id.*; s. 1002.67(1), F.S.

<sup>68</sup> Florida Department of Education, *Florida Kindergarten Readiness Screener*, <http://www.fldoe.org/accountability/assessments/k-12-student-assessment/flkrs> (last visited Feb 24, 2021).

<sup>69</sup> Rule 6A-6.053(12), F.A.C. (effective Feb. 16, 2021).

<sup>70</sup> Section 1008.25(5)(a), F.S. Students in kindergarten through grade 2 do not participate in statewide, standardized assessments.

difficulty, the areas of academic need, and strategies for providing academic supports to improve the student's performance.<sup>71</sup> District school boards are required to prioritize remedial and supplemental instruction resources first to students in kindergarten through 3<sup>rd</sup> grade who have a substantial reading deficiency and then to students who fail to meet performance levels required for promotion under the district's student progression plan.<sup>72</sup>

School districts have a variety of intervention and progress monitoring options available to help students improve their academic performance. The law requires districts to develop and implement a multi-tiered system of supports, which utilizes a problem-solving process to identify and support student needs based upon available data, including attendance, behavior and discipline, statewide assessment, and progress monitoring data.<sup>73</sup> Retention is mandatory for 3<sup>rd</sup> grade students who score at Level 1 on the statewide, standardized ELA assessment.<sup>74</sup> Any student retained in 3<sup>rd</sup> grade because of his or her statewide, standardized ELA assessment score must receive intensive interventions and be taught by a "highly-effective" teacher with a reading endorsement or certification.<sup>75</sup> This intervention process must include parent involvement, student observation, review of data, vision and hearing screening to rule out sensory deficits, and evidence-based interventions implemented in the general education environment.<sup>76</sup>

### *Progress Monitoring Initiatives*

In September 2020, the DOE announced that it would make available a new progress monitoring tool from the contractor for the state assessment program.<sup>77</sup> Use of this progress monitoring tool by a school district was optional.<sup>78</sup> The progress monitoring tool was available from October 1, 2020, through February 2021, and was aligned to the state standards for the following content areas:

- grades 3 through 10 ELA reading; and
- grades 3 through 8 mathematics.<sup>79</sup>

In November 2020, the DOE announced that it would be launching a VPK progress monitoring pilot program by permitting VPK providers to access the Star Early Literacy Assessment.<sup>80</sup> The program began in January 2021 and will run through the 2021-2022 school year.<sup>81</sup> The assessment is intended to provide VPK providers with a more comprehensive overview of students' learning and growth during their participation in the VPK program.<sup>82</sup> While this opportunity will be made available for up to 1,900 VPK providers, participation by the providers is voluntary.<sup>83</sup>

### *Statewide Literacy Supports*

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<sup>71</sup> Section 1008.25(4)(a), F.S.

<sup>72</sup> Section 1008.25(3), F.S.

<sup>73</sup> See Rules 6A-6.0331(1) and 6A-1.099811(2)(r), F.A.C.

<sup>74</sup> Section 1008.25(5)(b), F.S. A student may be promoted if he or she meets a "good cause" exception as provided in s. 1008.25(6)(b), F.S.

<sup>75</sup> See ss. 1008.25(5)(b) and (7) and 1012.34(2)(e), F.S.

<sup>76</sup> Rule 6A-6.0331(1), F.A.C.

<sup>77</sup> Florida Department of Education, *Free Optional Progress Monitoring Tool Available to Public Schools* (Sept. 2, 2020), available at <http://www.fldoe.org/core/fileparse.php/19861/urlt/CambiumProgressMonitoring2020-21.pdf> (last visited Feb. 25, 2021).

<sup>78</sup> *Id.*

<sup>79</sup> *Id.*

<sup>80</sup> Florida Department of Education, *Progress Monitoring: Building Effective, Data-Informed Strategies to Close Achievement Gaps* (Nov. 18, 2020), available at <https://www.fldoe.org/core/fileparse.php/19925/urlt/2-3.pdf> (last visited Feb. 25, 2021).

<sup>81</sup> *Id.*

<sup>82</sup> *Id.*

<sup>83</sup> *Id.*

As part of its plan for federal funding provided under the CARES Act,<sup>84</sup> the DOE announced its intention to launch a statewide system of regional reading supports.<sup>85</sup> The program calls for the establishment of 20 regions in the state each with a designated regional reading consultant that will lead a regional literacy support team.<sup>86</sup> The reading consultants and their teams will be trained to monitor district-level, school-level and classroom-level data in order to identify and provide needed professional development and interventions.<sup>87</sup> The first year of the program will support implementation of CERPs in the early grade while overall the program focus will be on building capacity of the teams with an emphasis on updated standards, evidence-based practices, and data-based decision making.<sup>88</sup> Implementation has been set to begin in 2021, during the second half of the 2020-2021 school year.

## Effect of Proposed Changes

### *Statewide Progress Monitoring Program*

In order to provide VPK providers, school districts, and the DOE with consistent high quality data for evaluating student progress and to inform instruction, the bill establishes the Voluntary Prekindergarten Education Program through grade 8 Progress Monitoring System. The progress monitoring system must be a statewide, standardized coordinated screening and progress monitoring system that:

- measures student progress in early literacy and mathematics standards;
- measures student performance in oral language, development, phonemic and phonological awareness, knowledge of print and letters, decoding, fluency, vocabulary and comprehension as applicable by grade level;
- provides a valid, reliable and developmentally appropriate computer-adaptive direct instrument that provide screening and diagnostic capabilities for monitoring student progress; identifies students with a substantial deficiency in reading, including students with characteristics of dyslexia; and informs instruction;
- provides data sufficient to calculate learning gains and kindergarten readiness for VPK Education Program participants;
- provides data and resources to enhance differentiated instruction; and
- provides data to the DOE to aid in the development of education programs, policies and support for providers districts and schools.

The progress monitoring system must be in place beginning with the 2022-2023 school year with progress monitoring occurring at least 3 times a year. The first progress monitoring screening must occur within 30 days after the beginning of the school year. Progress monitoring system results, including the number of students who demonstrate characteristics of dyslexia, must be reported to the DOE and maintained in the DOE Educational Data Warehouse. Results must be timely provided to a student's teachers and parents. Parents must receive annual notice of their child's educational progress based on the progress monitoring screenings.

To limit assessments and provide consistency of data an instruction, the bill ends the use of the current VPK pre- and post- assessments and the statewide kindergarten readiness screening once the progress monitoring system is implemented. All learning gains and kindergarten readiness rates will be calculated using data from the progress monitoring system. All private VPK providers must transition to the progress monitoring system beginning with the 2022-2023 school year.

A VPK student that demonstrates a substantial deficiency in early literacy skills based on the progress monitoring system must be referred to the school district following completion of the VPK program and

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<sup>84</sup> Pub. L. No. 116-136, 134 Stat. 281 (Mar. 27, 2020).

<sup>85</sup> Florida Department of Education, *Reopening Florida's Schools and the CARES Act*, available at <http://www.fldoe.org/core/fileparse.php/19861/urlt/FLDOEReopeningCARESAct.pdf> (last visited Feb. 25, 2021).

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

<sup>87</sup> *Id.*

<sup>88</sup> Florida Department of Education, *Act with Urgency for Literacy*, available at <https://www.fldoe.org/core/fileparse.php/7506/urlt/Act-with-Urgency-for-Literacy.pdf> (last visited Feb. 28, 2021).

prior to the beginning of the next school year. Such a student may be eligible for intensive reading interventions from the school district, which may be funded from the evidence-based reading instruction allocation.

### *Statewide Literacy Supports*

The bill expands upon the statewide literacy supports implemented by the DOE by creating the Reading Achievement Initiative for Scholastic Excellence Program (RAISE Program) to provide instructional supports to school districts and their staff. Under the RAISE Program, the DOE must establish 20 literacy support regions, each with a reading literacy support team, to assist school districts in improving reading scores. Each regional literacy director and their team members must meet specified requirements, and any additional requirements set by the DOE, including having completed a statewide, competency-based reading endorsement pathway approved by the DOE.

The bill allows the DOE to establish criteria to identify schools that need supports from the regional literacy support teams; however, a school must be identified as needing supports if less than 50 percent of the school's students score below a level 3 on the statewide, standardized ELA assessment for any grade level, or if progress monitoring data reflects that less than 50 percent of kindergarten through 3<sup>rd</sup> grade students are on track to pass the statewide, standardized grade 3 ELA assessment. The DOE must provide progress monitoring data to the regional literacy support teams to assist with identifying schools.

The bill requires that any school identified as requiring supports under the RAISE Program must develop a school improvement plan, however, the school is not required to implement a turnaround option or take other corrective action under the state's school improvement program. A regional literacy support team may be used to assist a school progressing through the school improvement program.

The regional literacy support teams must provide the following supports to designated schools:

- Professional development aligned with evidence based strategies for reading instruction.
- Assistance with implementing data-informed instructional decision making, selection and consistent coordinated use of high-quality instructional materials, reading instruction in other core subject areas with an emphasis on civic literacy, and a multi-tiered system of supports to provide effective interventions and identify those student who may require evaluation for exceptional student education.
- Evaluating the required school improvement plan and amending the plan, in coordination with the school district and school administration, to correct any deficiencies.

A school receiving supports through the RAISE Program may discontinue receiving supports and implementing a school improvement plan once data reflects that the school exceeds the criteria established in law or by the DOE. However, such supports may continue based on the availability of funding.

Within the RAISE Program, the bill creates a tutoring program whereby high school juniors and seniors, meeting certain criteria, may serve as tutors for students with a substantial reading deficiency in kindergarten through grade 3 identified as having a substantial deficiency in reading. Participating high school students shall be provided the necessary training and supports to effectively tutor the kindergarten through grade 3 students. The hours that the high school student spends tutoring under this section may be counted as community-service hours to meet the requirements for graduation and the bright futures scholarship. The DOE must designate a high school student who provides at least 500 hours of tutoring under this program as a New Worlds Scholar and provide him or her a commemorative pin. A parent of a kindergarten through grade 3 student identified as having a substantial deficiency in reading must consent to the tutoring performed under this section and all such tutoring must be provided under the supervision, and in the presence of, a certificated educator.

### *Immediate Initiation of Interventions for Students with Dyslexia*

The bill requires that school districts immediately provide appropriate, evidence-based interventions when a parent submits documentation from a professional licensed under chapter 490<sup>89</sup> that the student has been diagnosed with dyslexia. The interventions provided to the student must be based on the areas of difficulty identified by the diagnosing professional.

### *Parental Supports*

In addition to the written notification already provided for by law, the bill requires that parents of a student that has a substantial deficiency in reading receive updates, at least monthly, informing them of any additional interventions or supports to be provided to the student if the initial supports do not lead to improvement.

The bill also requires that the read-at-home plan, which must be distributed to parents of any student that has been identified as having a substantial deficiency in reading, include the following information compiled by the DOE:

- Developmentally appropriate evidence based strategies and program which a parent can use to help improve his or her child's literacy.
- An overview of the types of assessments used to identify reading deficiencies and the requirements for interventions and supports that must be provided to students who do not make adequate academic progress.
- An overview of the process for initiating and conducting evaluations for exceptional education eligibility, including, how information regarding a medical condition may be used in that process.
- Characteristics of conditions associated with learning difficulties such as dyslexia, dysgraphia, dyscalculia, and developmental aphasia.
- A list of resources for parents of students who have difficulty with learning.

These materials must be provided to parents in hardcopy format upon written request.

### *Kindergarten Transition*

To assist all parents with the transition from prekindergarten to kindergarten, the bill requires that each ELC adopt a best-practices plan for transitioning students into kindergarten. The required plan must provide for the following:

- opportunities for Prekindergarten students and their parent to visit schools where they may register;
- written information for parents on school registration and the academic and social expectations for kindergarten;
- meetings, at least annually, with school districts and charter schools in the ELC's service area to identify and address areas or improvement in transitioning students into kindergarten; and
- transferring student data to ensure continuity in progress monitoring.

The OEL must provide guidance for successful kindergarten transitions to the ELCs and make the guidance available to the school districts and parents.

## **Teacher Preparation Programs**

### Present Situation

State-approved teacher preparation programs are offered by Florida public and private postsecondary institutions, public school districts, and private providers and enable candidates for educator certification to, depending on the type of program, demonstrate mastery of general knowledge,

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<sup>89</sup> Chapter 490, F.S., is the Psychological Services Act and provides for the licensure of professionals providing psychological services by the Board of Psychology.

professional preparation and education competence, and subject area knowledge in order to attain the certificate.<sup>90</sup>

As part of the initial approval requirements<sup>91</sup> for a teacher preparation program, the program must require its students to meet, at a minimum, the following prerequisites for admission into the program:<sup>92</sup>

- Have at least a 2.5 GPA for the general education component of undergraduate studies or have completed the requirements for a baccalaureate degree with a minimum of a 2.5 GPA from any college or university.<sup>93</sup>
- Demonstrate mastery of general knowledge, including the ability to read, write, and perform in mathematics, by passing the General Knowledge Test of the Florida Teacher Certification Examination<sup>94</sup> or, for a graduate level program, obtain a baccalaureate degree from an institution.<sup>95</sup>

Teacher preparation programs may waive these admissions requirements for up to 10 percent of admitted students. Programs must implement strategies to ensure these students receive assistance to meet the professional certificate requirements and must annually report their status to the DOE.

### Effect of Proposed Changes

The bill allows students in public postsecondary teacher preparation programs to meet GPA and General Knowledge Test requirements prior to completion of the program instead of as a condition of admission. Accordingly, the bill removes the authority for teacher preparation programs to waive admission requirements.

## **Research-based Reading Instruction Allocation and Instructional Materials**

### Present Situation

#### *The Research-based Reading Instruction Allocation*

The research-based reading instruction allocation provides \$130 million for a K-12 comprehensive, district-wide system of research-based reading instruction for the 2020-21 FY.<sup>96</sup> The amount of \$115,000 is allocated to each district and the remaining balance is allocated based on each district's proportion of the total K-12 base funding.<sup>97</sup> This funding may be used to provide the following: an additional hour of intensive reading instruction beyond the normal school day for students in the 300 lowest-performing elementary schools; reading intervention teachers and reading coaches; professional development for teachers to earn a certification or an endorsement in reading; summer reading camps; supplemental instructional materials identified by the Just Read, Florida! Office; and intensive interventions for students identified as having a reading deficiency or who are reading below grade level.<sup>98</sup> School districts must submit a CERP for the specific use of the allocation, and beginning with the 2020-2021 school year, the intensive reading interventions must be delivered by a teacher who is certified or endorsed in reading.<sup>99</sup>

#### *Instructional Material Review Process*

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<sup>90</sup> See Florida Department of Education, *Professional Development in Florida*, <http://www.fldoe.org/teaching/professional-dev/> (last visited Feb. 25, 2021). See also rule 6A-5.066, F.A.C.; ss. 1004.04(3)(a) and 1004.85(1), F.S.

<sup>91</sup> Section 1004.04(3)(a)-(c), F.S.

<sup>92</sup> Section 1004.04(3)(b)1.-2., F.S.

<sup>93</sup> See rule 6A-4.003(1), F.A.C. The college or university must be accredited by a regional accrediting association as defined by the State Board of Education (SBE) rule or any college or university otherwise approved by the SBE.

<sup>94</sup> See s. 1012.56(3)(a), F.S. and rule 6A-4.0021, F.A.C.

<sup>95</sup> See rule 6A-4.003(1), F.A.C. The institution must be accredited or approved by the SBE.

<sup>96</sup> Specific Appropriations 8 and 92, s. 2, ch. 2020-111, L.O.F.

<sup>97</sup> See s. 1001.62(9)(b), F.S.; Specific Appropriations 8 and 92, s. 2, ch. 2020-111, L.O.F.

<sup>98</sup> Section 1011.62(9)(c)1.-7., F.S.

<sup>99</sup> Section 1011.62(9)(c)7.(d)1., F.S. The deadline for this requirement was extended to June 30, 2021, by emergency order DOE Order No. 2020-EO-07.

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

- establish a process to allow student editions of recommended instructional materials to be accessed and viewed online by the public at least 20 calendar days before the required school board hearing and public meeting. This process must include reasonable safeguards against the unauthorized use, reproduction, and distribution of instructional materials considered for adoption;
- conduct an open, noticed school board hearing to receive public comment on the recommended instructional materials;
- conduct an open, noticed public meeting to approve an annual instructional materials plan to identify any instructional materials that will be purchased. This public meeting must be held on a different date than the school board hearing;
- provide notice for the school board hearing and the public meeting that specifically states the instructional materials being reviewed and how the instructional materials can be accessed for public review;
- establish a process for public comment on, and review of, the recommended instructional materials.<sup>100</sup>

The school board hearing must allow the parent of a public school student or a resident of the county to proffer evidence that an instructional material recommended for purchase: does not align to the state standards as adopted by the SBE; does not meet state adoption criteria; is not suitable to student needs; or is not appropriate for students in the course or age group for which the instructional material would be used. This evidence must be evaluated by the school board while considering course expectations based on the district's student progression plan and course descriptions in the course code directory.<sup>101</sup>

### Effect of Proposed Changes

To conform the reading instruction allocation to the other evidence-based initiatives, the bill amends the "research-based reading instruction allocation" to be the "evidence-based reading instruction allocation," and aligns the definition of evidence-based to mean demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes, consistent with the Every Student Succeeds Act.<sup>102</sup>

The bill also makes the following changes to the allocation:

- Funds may be used for supports to assist in the transition from the VPK Program to kindergarten for students identified as having a substantial deficiency in early literacy skills through the PK-8 Progress Monitoring System.
- The extra hour of reading instruction for the 300 lowest performing elementary schools must include coordinated integration of civic literacy curriculum.
- A school district's CERP will no longer be deemed approved if it is not approved by June 1 or if 100 percent of the funds are spent.
- The DOE must withhold reading allocation funds if the funds are not being used to implement the approved plan.
- School district CERPs must provide for the evaluation of student performance data to determine the effectiveness of interventions.

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<sup>100</sup> Sections 1006.40(4)(b) and 1006.283(2)(b)8., 9., and 11., F.S.

<sup>101</sup> Sections 1006.283(2)(b)8.d, and 1006.31(2) F.S.

<sup>102</sup> The language "demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes" is drawn from part of the definition of "evidence based" under the federal Every Student Succeeds Act (ESSA). Pub. L. No. 114-95, 129 Stat. 1802 (Dec. 10, 2015); 20 U.S.C. s. 6301 *et seq.* Under ESSA, this language includes any state, local or school activity, strategy, or intervention that has strong evidence from at least one well-designed and well-implemented study, moderate evidence from at least one well-designed and well-implemented quasi-experimental study, or promising evidence from at least one well-designed and well-implemented correlational study with statistical controls for selection bias. *See* 20 U.S.C. s. 7801(21)(A)(i).

The bill requires that JRFO review English language arts instructional materials, during each adoption cycle, and identify those materials that are closely aligned with the evidence-based strategies for reading instruction and that include appropriate professional development for implementation. Instructional materials identified by JRFO may be purchased by a school district without going through the mandatory local adoption process.

The bill also requires that school districts provide training to all school librarians and media specialists on the prohibition of distributing harmful materials to minors and best practices for providing student access to age-appropriate materials.

## **Notification to Parents of School Choice Programs**

### Present Situation

Florida is a national leader in providing educational options for families. In addition to a myriad of public options, Florida offers four scholarship programs that allow parents of eligible students to register and attend private schools that may better serve a student's particular needs. Research shows students participating in another scholarship program were 15.0 percent more likely to enroll in a public college than their peers.<sup>103</sup>

The John M. McKay Scholarship for Students with Disabilities Program was established in 1999 to provide the option to attend a public school other than the one to which the student was assigned or to provide a scholarship to a private school of choice for students with an Individual Education Plan or a 504 Accommodation plan. The Gardiner Scholarship Program provides eligible students a scholarship that can be used to purchase approved services or products in order to design a customized educational program for the student.<sup>104</sup> Scholarships can be used for specialized services such as speech or occupational therapy, instructional materials, tuition at an eligible private school, contributions to a college prepaid account and more.<sup>105</sup> The program is directly administered by state-approved nonprofit scholarship funding organizations.<sup>106</sup>

In addition to the scholarships based on students with disabilities, the Family Empowerment Scholarship Program was established in 2019 to provide children of Florida families that have limited financial resources with educational options to achieve success in their education.<sup>107</sup> The Florida Tax Credit Scholarship Program was created in 2001<sup>108</sup> and allows taxpayers to make private, voluntary contributions to scholarship-funding organizations that can then be awarded as scholarships to eligible low-income students for private school tuition and fees. In 2018, the Legislature created the Hope Scholarship Program to provide the parent of a public school student subjected to a specified incident<sup>109</sup> at school the opportunity to transfer the student to another public school or to request a scholarship for the student to enroll in and attend an eligible private school.<sup>110</sup>

### Effect of Proposed Changes

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<sup>103</sup> Urban Institute, *The Effects of Statewide Private School Choice on College Enrollment and Graduation – Evidence from the Florida Tax Credit Scholarship Program*, September 2017, available at: [https://www.urban.org/sites/default/files/publication/93471/the\\_effects\\_of\\_statewide\\_private\\_school\\_choice\\_on\\_college\\_enrollment\\_and\\_graduation\\_1.pdf](https://www.urban.org/sites/default/files/publication/93471/the_effects_of_statewide_private_school_choice_on_college_enrollment_and_graduation_1.pdf).

<sup>104</sup> Section 1002.385(1) and (3), F.S.

<sup>105</sup> Section 1002.385(5), F.S.

<sup>106</sup> Section 1002.385(12), F.S.

<sup>107</sup> Section 1002.394(1), F.S.

<sup>108</sup> Section 1002.395, F.S.

<sup>109</sup> A specified incident includes: battery; harassment; hazing; bullying; kidnapping; physical attack; robbery; sexual offenses, harassment, assault, or battery; threat or intimidation; or fighting at school. Section 1002.40(3), F.S.

<sup>110</sup> Section 1002.40(1), F.S.

The bill requires that the school district inform parents, within 10 days of the issuance of an Individual Education Plan or a 504 accommodation plan, of all of the school choice scholarship options available under ch. 1002, F.S.

**B. SECTION DIRECTORY:**

**Section 1.** Amends s. 1001.215, F.S., revising and providing duties for the Just Read, Florida! Office within the Department of Education.

**Section 2.** Amends s. 1001.42, F.S., revising a district school board's duty to implement a school improvement plan for certain low-performing schools to conform to changes made by the act.

**Section 3.** Amends s. 1002.33, F.S., conforming a provision to changes made by the act.

**Section 4.** Amends s. 1002.55, F.S., revising requirements for prekindergarten instructors relating to the completion of emergent literacy training courses.

**Section 5.** Amends s. 1002.59, F.S., requiring the Office of Early Learning to adopt minimum standards for such courses in collaboration with the Just Read, Florida! Office; requiring such courses to be consistent with certain strategies identified by the Just Read, Florida! Office and reviewed.

**Section 6.** Amends s. 1002.67, F.S., requiring certain private prekindergarten providers and public schools to use a coordinated screening and progress monitoring system.

**Section 7.** Amends s. 1002.69, F.S., requiring the Department of Education, in consultation with the Office of Early Learning, to implement a coordinated screening and progress monitoring system for students in the Voluntary Prekindergarten Education Program through grade 8; requiring such screening and progress monitoring system to be used to assess kindergarten readiness and to determine student learning gains.

**Section 8.** Amends s. 1002.83, F.S., requiring early learning coalitions to adopt best-practices plans for transitioning prekindergarten students into kindergarten; providing requirements for such plans; requiring the Office of Early Learning to provide certain guidelines to assist early learning coalitions, schools districts, charter schools, and parents.

**Section 9.** Amends s. 1002.995, F.S., conforming provisions to changes made by the act.

**Section 10.** Amends s. 1003.57, F.S., requiring a school district to notify the parents of certain students of certain available scholarship options within a specified timeframe.

**Section 11.** Amends s. 1003.621, F.S., conforming provisions to changes made by the act.

**Section 12.** Amends s. 1004.04, F.S., revising provisions relating to teacher preparation programs; removing provisions authorizing the waiver of certain admission requirements for such programs; requiring certain school district and instructional personnel to have a certificate or endorsement in reading beginning in a specified school year.

**Section 13.** Amends s. 1006.28, F.S., requiring a school district to provide certain training to school librarians and media specialists.

**Section 14.** Amends s. 1008.25, F.S., requiring certain students to participate in a certain coordinated screening and progress monitoring system; prohibiting a school from waiting until a certain evaluation is completed to provide specified interventions for certain students; requiring that such interventions be initiated upon receipt of certain documentation; requiring schools to communicate with parents at least monthly regarding the progress of certain students; providing requirements for such communication; requiring the department to compile resources that school districts must incorporate into read-at-home plans; providing requirements for such resources; requiring that a parent be provided a hardcopy of such resources upon request; requiring the department, in collaboration with the Office of Early

Learning, to procure and require the use of a certain coordinated screening and progress monitoring system; providing requirements for such system; requiring private Voluntary Prekindergarten Education Program providers and public schools to participate in such system beginning in a specified school year; providing the frequency with which such system must be administered during the program year or school year, as applicable; providing that certain prekindergarten students may be eligible for intensive reading interventions; authorizing a school district to pay for such interventions using certain funds; requiring screening and progress monitoring system results to be reported to the department and maintained in a specified department warehouse; requiring such results to be provided to a student's teacher and parent; requiring the department, in collaboration with the Office of Early Learning, to provide certain training and support.

**Section 15.** Amends s. 1008.345, F.S., conforming a cross-reference.

**Section 16.** Creates s. 1008.365, F.S., providing a short title; establishing the Reading Achievement Initiative for Scholastic Excellence Program within the department; providing a purpose; requiring the department to establish a specified number of literacy support regions and regional support teams for a certain purpose; requiring a regional literacy support director to meet certain criteria; providing duties and requirements for such teams; authorizing the department to establish criteria for identifying schools that need supports; requiring such schools to implement a certain plan; requiring the department to provide progress monitoring data to such teams regarding the implementation of supports; providing requirements for such supports; providing that certain schools are not required to implement a turnaround option or take other corrective actions; authorizing a school to discontinue receiving supports and implementing a school improvement plan under certain circumstances; requiring the department to establish a tutoring program and develop certain training to prepare high school students to tutor certain students; providing eligibility criteria for high school students to participate in the tutoring program; requiring school districts that wish to participate in such program to recruit, train, and deploy eligible high school students; providing requirements for such program; requiring the department to designate certain high school students as New Worlds Scholars; requiring the State Board of Education to adopt rules.

**Section 17.** Amends s. 1011.62, F.S., renaming the research-based reading instruction allocation as the evidence-based reading instruction allocation; requiring such allocation to be used to provide comprehensive reading instruction to certain prekindergarten students; requiring a school district's K-12 comprehensive reading plan to be developed with input from certain personnel and provide for certain interventions delivered by certain instructional personnel; requiring the department to annually release to certain school districts their allocations of appropriated funds by a specified date; requiring the department to annually report certain findings and recommendations to the State Board of Education by a specified date; providing a definition.

**Section 18.** Amends s. 1011.67, F.S., authorizing school districts to purchase certain instructional materials with specified funds without undergoing certain adoption procedures.

**Section 19.** Amends s. 1012.585, F.S., providing a limitation on earning certain in-service points.

**Section 20.** Amends s. 1012.586, F.S., requiring the department to adopt competency-based pathways for instructional personnel to earn a reading endorsement by the beginning of a specified school year; providing requirements for such pathways; requiring the department to place micro-credentials on participants' educator certificates; providing requirements for the department in adopting such pathways; requiring school districts to resubmit certain programs to the department for approval by a specified date; prohibiting instructional personnel from earning a reading endorsement solely by achieving a passing score on a specified assessment.

**Section 21.** Amends s. 1012.98, F.S., requiring the department to identify certain professional development opportunities to be implemented by school districts.

**Section 22.** Amends s. 1012.986, F.S., revising the goals of the William Cecil Golden Professional Development Program for School Leaders to include support for instructional personnel who provide reading instruction and interventions.

**Section 23.** Provides an effective date of July 1, 2021.

## II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

### A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

None.

2. Expenditures:

The bill will have a fiscal impact for the implementation of the coordinated screening and progress monitoring program and the RAISE program literacy supports. The Department of Education (DOE) provided an estimated fiscal impact to the DOE that includes the following:

Bill Section	Issue	DOE Fiscal
1	Provide training on evidence-based reading instructional and intervention programs	\$1.5 million
14	Implement the coordinated screening and progress monitoring program for VPK – Grade 8	\$15.0 million
14	1 Program Specialist IV to manage the coordinated screening and progress monitoring program	\$87,075
16	Establish Reading Achievement Initiative for Scholastic Excellence (RAISE) Program	\$5.0 million
16	1 Program Specialist IV and 1 Administrative Assistant I to establish the literacy support teams and 1 Program Specialist to manage the tutoring program	\$240,014

### B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

None.

2. Expenditures:

School districts may incur costs associated with implementing this legislation; however, the impact is indeterminate.

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

None.

### D. FISCAL COMMENTS:

The DOE estimated fiscal impact for the coordinated screening and progress monitoring program for VPK – grade 8 is based on \$1.5 million for administering the associated assessments for 10 grade

levels (VPK – grade 8). The bill requires the implementation of these assessments at the start of the 2022-2023 school year; it is not known if any of the \$15 million will be needed for Fiscal Year 2021-2022. The DOE has also indicated that a certain amount of the costs for this monitoring program will be offset, in part, by the elimination of the current VPK pre- and post-assessment and the statewide kindergarten readiness screening; current costs associated with these two assessments is approximately \$6.6 million.

Additionally, \$5 million from current nonrecurring federal funds provided by the Coronavirus Aid, Relief, and Economic Security (CARES) Act are being used by the DOE for the deployment of 20 regional literacy directors designed to provide targeted reading support for school districts. It is assumed that these would be the same 20 regional literacy support directors created in Section 16 of the bill.

The DOE has indicated that additional staff resources will be needed to implement the bill including three Program Specialists IV positions and one Administrative Assistant I position, and a total of \$327,089. However, as of January 28, 2021, the DOE has a total of 95 vacant positions, including nine Program Specialist IV positions and one Administrative Assistant I position, vacant over 180 days.<sup>111</sup>

It is anticipated that the state will be able to utilize federal funds provided through the CARES Act and the Americans Rescue Plan Act of 2021 to fund the majority of these costs. Funding for this bill will be dependent upon an appropriation provided by the Legislature in the Fiscal Year 2021-2022 General Appropriations Act.

### **III. COMMENTS**

#### **A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

Not applicable.

2. Other:

None.

#### **B. RULE-MAKING AUTHORITY:**

The bill requires that the SBE adopt rules to implement the RAISE Program.

#### **C. DRAFTING ISSUES OR OTHER COMMENTS:**

None.

### **IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

None.

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<sup>111</sup> Vacancy Report, January 28, 2021, on file with the House PreK-12 Appropriations Subcommittee.  
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