

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Rules

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BILL: SB 1004

INTRODUCER: Senator Torres and others

SUBJECT: High School Equivalency Diplomas

DATE: April 10, 2023

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Sagues</u>	<u>Bouck</u>	<u>ED</u>	<b>Favorable</b>
2.	<u>Davis</u>	<u>Cibula</u>	<u>JU</u>	<b>Favorable</b>
3.	<u>Sagues</u>	<u>Twogood</u>	<u>RC</u>	<b>Favorable</b>

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## I. Summary:

SB 1004 amends s. 1003.435, F.S., the statute governing the high school equivalency diploma program. The statute, as amended by the bill, prohibits a district school board from requiring a student, who is at least 16 years old, to take any course before taking the General Educational Development (GED) exam unless the student did not pass the GED practice test.

The bill takes effect on July 1, 2023.

## II. Present Situation:

### Adult Education in Florida

Florida's adult education system includes a range of instructional programs that help adults get the basic skills they need to be productive workers, family members, and citizens.<sup>1</sup>

The major program areas are Adult Basic Education Adult High School and General Educational Development (GED) Preparation, and English for Speakers of Other Languages (ESOL). These programs emphasize basic skills such as reading, writing, math, and English language competency. Adult education programs also help adult learners gain the knowledge and skills they need to enter and succeed in postsecondary education.<sup>2</sup>

Adult learners enrolled in Adult High School can earn a high school diploma or its equivalent by successfully passing the GED exam.<sup>3</sup>

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<sup>1</sup> Florida Department of Education, *Career and Adult Education*, <https://www.fldoe.org/academics/career-adult-edu/adult-edu/> (last visited Mar. 25, 2023). See Section 1004.93, F.S.

<sup>2</sup> *Id.* See Section 1004.02, F.S.

<sup>3</sup> Section 1003.435, F.S.

Adult education programs are available to individuals who are 16 years or older; are not enrolled or required to be enrolled in secondary school; do not have a high school diploma or its equivalent; or want to learn to speak, read, and write the English language.<sup>4</sup>

Adult education programs must provide academic services to students in the following priority:<sup>5</sup>

- Students who demonstrate skills at less than a 5th grade level, as measured by tests approved by the State Board of Education (SBE).
- Students who demonstrate skills at the 5th grade level or higher, but below the 9th grade level, as measured by tests approved by the SBE.
- Students who are earning credit required for a high school diploma or who are preparing for the high school equivalent (HSE) exam.
- Students who have earned high school diplomas and require specific improvement in order to obtain or maintain employment or benefit from certificate career education programs; pursue a postsecondary degree; or develop competence in the English language to qualify for employment.

Funding for adult general education programs must be based on cost categories calculated to identify high-cost, medium-cost, and low-cost programs; performance output measures that evaluate improvement in student skills, including improvement in literacy skills, grade level improvement, or attainment of a State of Florida diploma or an adult high school diploma; and performance outcome measures associated with placement and retention of students after reaching specified program completion criteria.<sup>6</sup>

### **High School Equivalency Assessments**

Until January 2014, the GED was the only option for youth and adults lacking a high school diploma, but needing a high school credential to pursue employment opportunities or postsecondary education. However, in January 2014, some states began administering one or both alternatives to the GED; the Educational Testing Service (ETS) HiSET and the Data Recognition Corporation CTB TASC Test Assessing Secondary Completion.<sup>7</sup>

All three exams assess knowledge in Language Arts, Mathematics, Science, and Social Studies.<sup>8</sup>

### **Florida's High School Equivalency Diploma Program**

Florida offers the 2014 GED for students seeking a HSE diploma<sup>9</sup> and also accepts a HSE diploma issued by a state other than Florida for the purposes of admission to an associate degree program at a Florida College System institution.<sup>10</sup>

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<sup>4</sup> Florida Department of Education, *Career and Adult Education*, <https://www.fldoe.org/academics/career-adult-edu/adult-edu/> (last visited Mar.25, 2023).

<sup>5</sup> Section 1004.93(2), F.S.

<sup>6</sup> Section 1011.80(5), F.S.

<sup>7</sup> Education Commission of the States, *GED, HiSET and TASC: A comparison of high school equivalency assessments* (2015), <https://www.ecs.org/clearinghouse/01/20/38/12038.pdf>.

<sup>8</sup> *Id.*

<sup>9</sup> Rule 6A-6.0201, F.A.C.

<sup>10</sup> Section 1007.263(2), F.S.

Both the English and Spanish version of the GED exam is approved for a Florida resident to take in order to earn the state's HSE diploma.<sup>11</sup>

Performance standards for an HSE diploma are established by the SBE,<sup>12</sup> and the Commissioner of Education is required to award a State of Florida High School Diploma to a student who:<sup>13</sup>

- Takes the GED exam at a testing center in Florida approved by the Department of Education; and,
- Attains a minimum score of 145 on each of the 4 sub-tests of the exam: Reasoning through Language Arts, Mathematical Reasoning, Science and Social Studies.

Florida law requires a candidate for an HSE diploma to be at least 18 years of age on the date of the exam. A student may take the exam after reaching the age of 16 under extraordinary circumstances based on rules set by the school district in which an individual lives or goes to school.<sup>14</sup>

Each school district has different requirements individuals must meet to qualify for an age waiver.<sup>15</sup> In the examples below, all require the student to be withdrawn from high school without having earned a high school diploma and pass the GED practice test. In addition, 3 of the 4 examples require the student to enroll in GED preparatory instruction:

- The School District of Lee County requires a student to complete a minimum of 12 instructional hours and complete a GED counseling session.<sup>16</sup>
- Santa Rosa County District Schools requires a student to present specified scores on the TABE and GED practice test and letters of approval from the parent and an instructor.<sup>17</sup>
- Alachua County Public Schools requires 20 hours of in-person GED classes and completion of a GED Ready practice test.<sup>18</sup>
- Duval County Public Schools requires a student to verify proof of enrollment in an adult education GED program and complete an exit interview with school or district staff.<sup>19</sup>

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<sup>11</sup> GED Testing Service, *Getting Your GED in Florida*, <https://ged.com/policies/florida/> at “Other” (last visited Mar. 25, 2023).

<sup>12</sup> Rule 6A-6.0201, F.A.C.

<sup>13</sup> *Id.*

<sup>14</sup> Section 1003.435(4), F.S., Florida Department of Education, *Diplomas, Transcripts & Verifications – Underage Testing Information*, <https://www.fldoe.org/academics/career-adult-edu/hse/underage-testing-info.stml> (last visited Mar. 25, 2023).

<sup>15</sup> *Id.*

<sup>16</sup> School District of Lee County Adult and Career Education, *Policy for Students Under 18*, <https://www.leeschools.net/common/pages/DisplayFile.aspx?itemId=33032633> (last visited Mar. 25, 2023).

<sup>17</sup> Santa Rosa County District Schools, *Underage Testing Policy*, <https://sites.santarosa.k12.fl.us/sras/underage.html> (last visited Mar. 10, 2023).

<sup>18</sup> School District of Alachua County, *Alachua County Underage GED Testing Policy* <https://www.sbac.edu/site/handlers/filedownload.ashx?moduleinstanceid=22939&dataid=70564&FileName=Alachua%20County%20Underage%20GED%20Testing%20Policy.pdf> (last visited Mar. 25, 2023).

<sup>19</sup> Duval County Public Schools, *GED Age Waiver Guidelines*, <https://dcps.duvalschools.org/Page/18609> (last visited Mar. 25, 2023).

- Lake County Technical College (LakeTech),<sup>20</sup> requires a student to attend GED preparatory classes.<sup>21</sup>
- Thomas P. Haney Technical College requires a student to present a specified score on the GED Ready test, have a minimum reading level as documented on the TABE reading component, and successfully participate in a Performance-based Exit Option Model for at least one full semester.<sup>22</sup>
- Wilton Simpson Technical College in Hernando County requires only that a student attend a meeting with the student's parents and the Director of Postsecondary and Adult Education.<sup>23</sup>

Once an individual meets the school district requirements, the school district is responsible for sending the age waiver to the Florida GED testing office for processing.<sup>24</sup>

During the 2021-2022 school year, 24,976 Florida students took the GED exam, 16,822 completed the exam, and 12,893 passed, resulting in a 76.6 percent pass rate for students completing the exam.<sup>25</sup>

Also during the 2021-2022 school year, 3,106 underage waivers were granted and of those, 2,188 HSE diplomas were earned.<sup>26</sup>

### III. Effect of Proposed Changes:

SB 1004 modifies s. 1003.435, F.S., which addresses the high school equivalency diploma program. As amended by the bill, the statute prohibits a district school board from requiring a student, who is at least 16 years old, to take any course before taking the GED exam unless the student did not pass the GED practice test.

The bill takes effect on July 1, 2023.

### IV. Constitutional Issues:

#### A. Municipality/County Mandates Restrictions:

None.

<sup>20</sup> LakeTech is a public charter school sponsored by the Lake County School Board LakeTech, *Mission, Governance, Philosophy, Vision*, <https://www.laketech.org/about/mission-2> (last visited Mar. 10, 2023).

<sup>21</sup> LakeTech, *GED Testing for Minors*, <https://www.laketech.org/adult-education/ged-testing-minors> (last visited Mar. 25, 2023).

<sup>22</sup> Thomas P. Haney Technical College, *Adult General Education*, <https://haney.edu/adult-education> (last visited Mar. 25, 2023).

<sup>23</sup> Wilton Simpson Technical College, *GED-General Education Preparation Classes*, <https://www.hernandoschools.org/schools/stc/adult-education/ged> (last visited Mar. 25, 2023).

<sup>24</sup> Florida Department of Education, *Diplomas, Transcripts & Verifications – Underage Testing Information*, <https://www.fldoe.org/academics/career-adult-edu/hse/underage-testing-info.shtml> (last visited Mar. 25, 2023).

<sup>25</sup> Florida Department of Education, Presentation to the House of Representatives, Education Quality Subcommittee, *High School Graduation and Completion Options*, 43-46 (Feb. 8, 2023), <https://myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3245&Session=2023&DocumentType=Meeting+Packets&FileName=eqs+2-8-23.pdf>.

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

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None identified.

**V. Fiscal Impact Statement:****A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

A person who spends less time on GED preparatory instruction, has more time to pursue employment opportunities or other educational opportunities.

**C. Government Sector Impact:**

Costs for school districts to provide GED preparatory instruction will be reduced due to fewer individuals taking the instruction courses.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends section 1003.435 of the Florida Statutes.

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

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

None.

B. Amendments:

None.

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

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