

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** CS/CS/HB 7039 Student Outcomes

**SPONSOR(S):** Education & Employment Committee, PreK-12 Appropriations Subcommittee, Education Quality Subcommittee, Trabulsy

**TIED BILLS:** None **IDEN./SIM. BILLS:** SB 1424

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: Education Quality Subcommittee	16 Y, 0 N	McDaniel	Sanchez
1) PreK-12 Appropriations Subcommittee	14 Y, 0 N, As CS	Bailey	Potvin
2) Education & Employment Committee	20 Y, 0 N, As CS	McDaniel	Hassell

### SUMMARY ANALYSIS

The bill creates a framework for increasing mathematics proficiency in our state by requiring: the identification of any student in kindergarten through grade 4 who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia; immediate systematic and explicit mathematics instruction to address specific deficiencies; monitoring and instruction be adjusted to student needs; school district early warning systems include early warning indicators to identify such students; such students be covered by a federally required student plan, such as an individual education plan or an individualized progress monitoring plan and; specific elements that must be included in an individualized progress monitoring plan; and student evaluation at the end of every grading period.

The bill requires the Department of Education (DOE) to identify state approved mathematics intervention programs, curricula, and high-quality supplemental materials, as well as state approved reading and intervention programs.

The bill bolsters the current coordinated screening and progress monitoring system by requiring it to also identify and report the number of students with a substantial deficiency in mathematics as well as students with characteristics of dyscalculia. The DOE is directed to develop ways to increase utilization of the system's student assessment data and resources by instructional staff and parents.

The bill expands parental notification requirements to include immediate notification to the parent of any kindergarten through grade 3 student who exhibits the characteristics of dyslexia and any kindergarten through grade 4 student who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia

The bill requires school district reading plans to describe how the school district prioritizes assignment of highly effective teachers to kindergarten through grade 2 classrooms as well as how reading coaches are assigned to individual schools.

All reading literacy instruction must be grounded in the science of reading, to include: instructional strategies, interventions, curriculum, materials, teacher preparation programs, professional learning systems classroom instruction, and instructional materials. The bill prohibits the use of three-cueing.

The bill requires performance standards for VPK students and courses in emergent literacy for prekindergarten instructors include foundational background knowledge designed to correlate with the content that students will encounter in kindergarten through grade 12. In addition, the bill requires that the VPK curriculum develop students' background knowledge through a content-rich and sequential knowledge building early literacy curriculum. The bill requires any private prekindergarten provider or public school that fails to meet the minimum learning gains to use state approved curricula.

The bill expands the New Worlds Reading Initiative to pre-k students and provides k-5 math scholarship accounts.

The bill requires the State Board of Education to define in rule the course standards for dropout prevention and academic intervention programs, also referred to as credit retrieval courses, offered by school districts.

The bill appropriates \$158 million to the DOE: \$150 million is provided to assist school districts in implementing the bill and \$8 million is provided to assist the DOE in implementing the bill.

The bill has an effective date of July 1, 2023.

### FULL ANALYSIS

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

**STORAGE NAME:** h7039c.EEC

**DATE:** 3/23/2023

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Present Situation

The National Assessment of Educational Progress (NAEP) measures reading and math performance of students in 4<sup>th</sup> and 8<sup>th</sup> grade. The NAEP reading and math assessments are typically administered every two years. The reading assessments measure students' knowledge and skills in literary and informational reading. The math assessments test knowledge and skills associated with number properties and operations, measurement; geometry; data analysis, statistics and probability; and algebra. NAEP presents assessment results of student performance in two ways in The Nation's Report Card: average scores on the NAEP subject scale, and percentages of students attaining NAEP achievement levels.<sup>1</sup>

Results from the 2022 NAEP show that 39 percent of grade 4 students and 29 percent of 8<sup>th</sup> grade students in Florida are performing at or above the NAEP proficiency levels. This represents one percentage point higher for grade 4 students and five percentage points less for 8<sup>th</sup> grade students, compared to 2019.<sup>2</sup> In comparison, the national average reading score at both 4<sup>th</sup> and 8<sup>th</sup> grade decreased by 3 points compared to 2019.<sup>3</sup>

In mathematics, NAEP 2022 results show national average mathematics scores decreased by 5 points for students in grade 4 and by 8 points for students in grade 8 compared to 2019.<sup>4</sup> Florida saw a 10 point increase for students in grade 4 compared to 2019, with 41 percent of students performing at or above the NAEP proficiency level.<sup>5</sup> In contrast, Florida's 8<sup>th</sup> grade students who performed at or above the NAEP proficiency level was 23 percent, down from 31 percent in 2019.<sup>6</sup>

Results from the 2022 Florida statewide, standardized English Language Arts (ELA) assessments, the most recent academic year in which the assessments were administered, shows that 48 percent of students in grades 3-10 are performing below grade level.<sup>7</sup> In comparison, the Florida statewide, mathematics assessments show that 45 percent of students in grades 3-8 are performing below grade level.<sup>8</sup>

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<sup>1</sup> National Center for Education Statistics, *Scale Scores and NAEP Achievement Levels*, [https://nces.ed.gov/nationsreportcard/guides/scores\\_achv.aspx](https://nces.ed.gov/nationsreportcard/guides/scores_achv.aspx) (last visited Feb. 24, 2023). NAEP includes three achievement levels; basic, proficient, and advanced. Basic level denotes partial mastery of prerequisite knowledge and skills that are fundamental for proficient work at each grade, Proficient level represents solid academic performance for each grade assessed, Advance signifies superior performance. The assessment is administered to a representative sample of 4<sup>th</sup> and 8<sup>th</sup> grade students in the nation.

<sup>2</sup> The Nation's Report Card, *Data Tools State Profiles*, [https://www.nationsreportcard.gov/profiles/stateprofile/overview/FL?cti=PgTab\\_Findings&chort=1&sub=MAT&sj=FL&fs=SubjectLabel&st=MN&year=2022R3&sg=Gender%3A%20Male%20vs.%20Female&sgv=Difference&ts=Single%20Year&tss=2022R3&sfj=NP](https://www.nationsreportcard.gov/profiles/stateprofile/overview/FL?cti=PgTab_Findings&chort=1&sub=MAT&sj=FL&fs=SubjectLabel&st=MN&year=2022R3&sg=Gender%3A%20Male%20vs.%20Female&sgv=Difference&ts=Single%20Year&tss=2022R3&sfj=NP) (last visited Mar. 6, 2023).

<sup>3</sup> The Nation's Report Card, *NAEP Report Card: 2022 NAEP Reading Assessment*, <https://www.nationsreportcard.gov/highlights/reading/2022/> (last visited Mar. 6, 2023).

<sup>4</sup> The Nation's Report Card, *Data Tools State Profiles*, [https://www.nationsreportcard.gov/profiles/stateprofile/overview/FL?cti=PgTab\\_Findings&chort=1&sub=MAT&sj=FL&fs=SubjectLabel&st=MN&year=2022R3&sg=Gender%3A%20Male%20vs.%20Female&sgv=Difference&ts=Single%20Year&tss=2022R3&sfj=NP](https://www.nationsreportcard.gov/profiles/stateprofile/overview/FL?cti=PgTab_Findings&chort=1&sub=MAT&sj=FL&fs=SubjectLabel&st=MN&year=2022R3&sg=Gender%3A%20Male%20vs.%20Female&sgv=Difference&ts=Single%20Year&tss=2022R3&sfj=NP) (last visited Mar. 6, 2023).

<sup>5</sup> The Nation's Report Card, Florida 2022 Mathematics State Snapshot Report, Grade 4, available at <https://nces.ed.gov/nationsreportcard/subject/publications/stt2022/pdf/2023011FL4.pdf>.

<sup>6</sup> The Nation's Report Card, Florida 2022 Mathematics State Snapshot Report, Grade 8, available at <https://nces.ed.gov/nationsreportcard/subject/publications/stt2022/pdf/2023011FL8.pdf>.

<sup>7</sup> Florida Department of Education, *2022 ELA Assessment Results*, available at <https://www.fldoe.org/accountability/assessments/k-12-student-assessment/results/2022.shtml> (last visited Mar. 6, 2023).

<sup>8</sup> Florida Department of Education, *2022 FSA Mathematics and EOCs Assessment Results*, available at <https://www.fldoe.org/core/fileparse.php/5668/urlt/16MathDistrictComp22.xls>.

Moreover, results from the Fall 2021 Florida Kindergarten Readiness Screener indicate that approximately half of Florida’s kindergarten-age students are not “ready” for kindergarten based on their language and literacy skills.<sup>9</sup>

## Identification and Intervention

### *Reading*

Florida law requires each school district to produce a K-12 Comprehensive Evidence-Based Reading Plan and include the criteria it uses to determine whether a student has a substantial reading deficiency.<sup>10</sup> Students in kindergarten through grade 3 who exhibit a substantial reading deficiency, based on locally collected data, statewide assessments, or through teacher observations, must be given intensive reading instruction immediately following the identification of the deficiency.<sup>11</sup> A school may not wait for a student to receive a failing grade at the end of a grading period to identify the student as having a substantial reading deficiency and initiate intensive reading interventions. In addition, a school may not wait until an evaluation conducted by the school district is completed to provide appropriate, evidence-based interventions for a student whose parent submits documentation from a licensed professional which demonstrates that the student has been diagnosed with dyslexia. Such interventions must be initiated upon receipt of documentation and based on the student’s specific areas of difficulty as identified by the licensed professional.<sup>12</sup> A student’s reading proficiency must be monitored and the intensive interventions must continue until the student demonstrates grade level proficiency in a manner determined by the school district, which may include achieving a Level 3 on the statewide, standardized ELA assessment.<sup>13</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 difficulty, the areas of academic need, and strategies for providing academic supports to improve the student’s performance.<sup>14</sup> District school boards are required to prioritize remedial and supplemental instruction resources first to students in kindergarten through grade 3 who have a substantial reading deficiency and then to students who fail to meet performance levels required for promotion under the school district’s student progression plan.<sup>15</sup>

A student who is not meeting school district or state requirements for satisfactory performance in ELA must be covered by one of the following plans:<sup>16</sup>

- A federally required student plan such as an individual education plan;
- A schoolwide system of progress monitoring for all students, except that a student who scores Level 4 or above on the ELA assessment may be exempted from participation by the principal; or
- An individualized progress monitoring plan.

School districts have a variety of intervention and progress monitoring options available to help students improve their academic performance. Retention is mandatory for grade 3 students who score

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<sup>9</sup> Florida Department of Education, *Fall 2021 FLKRS Results*, available at <https://www.fldoe.org/core/fileparse.php/18494/urlt/21FLKRSDistrictComp.xls> (last visited Mar. 6, 2023).

<sup>10</sup> Rule 6A-6.053, F.A.C. *See also* Rule 6A-6.053(10)(a), F.A.C., specifying criteria for the determination that a student has a substantial deficiency in reading, including scoring the lowest level or benchmark on any assessment approved by the school district, scoring the lowest achievement level during a progress monitoring assessment approved by the school district, or demonstrating minimum skill levels in one or more areas of phonological awareness; phonics; vocabulary, including oral language skills; reading fluency; and reading comprehension.

<sup>11</sup> Section 1008.25(5)(a), F.S. Students in kindergarten through grade 2 do not participate in statewide, standardized assessments.

<sup>12</sup> Section 1008.25(5)(a), F.S. *See also* s. 1003.57, F.S. For purposes of this section, a licensed professional means an individual licensed pursuant to ch. 490, F.S.

<sup>13</sup> Section 1008.25(5)(a), F.S.

<sup>14</sup> Section 1008.25(4)(a), F.S.

<sup>15</sup> Section 1008.25(3), F.S.

<sup>16</sup> Section 1008.25(4)(b), F.S.

at Level 1 on the statewide, standardized ELA assessment.<sup>17</sup> Any student retained in grade 3 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>18</sup> Interventions must include:<sup>19</sup>

- Evidence-based, explicit, systematic, and multisensory reading instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district.
- Participation in the school district’s summer reading camp.
- A minimum of 90 minutes of daily, uninterrupted reading instruction. This instruction may include coordinated integration of content-rich texts in science and civic literacy; small group instruction; reduced teacher-student ratios; more frequent progress monitoring, tutoring or mentoring; transition classes containing and grades 3 and 4 students; and extended school day, week, or year.

Additionally, each school district must establish at each school, when applicable, an intensive reading acceleration course for any student retained in grade 3 who was previously retained in kindergarten, grade 1, or grade 2. The intensive reading acceleration course must provide the following:<sup>20</sup>

- Uninterrupted reading instruction for the majority of student contact time each day and opportunities to master the grade 4 state academic standards in other core subject areas through content-rich texts.
- Small group instruction.
- Reduced teacher-student ratios.
- The use of explicit, systematic, and multisensory reading interventions, including intensive language, phonics, and vocabulary instruction, and use of a speech-language therapist if necessary, that have proven results in accelerating student reading achievement within the same school year.
- A read-at-home plan.

A VPK education program student who exhibits a substantial deficiency in early literacy skills and based upon the results of the administration of the final coordinated screening and progress monitoring must be referred to the local school district and may be eligible to receive intensive reading interventions before participating in kindergarten.<sup>21</sup>

### *Mathematics*

Florida law requires all public school students in grades 3 through 8 to participate in the annual statewide, standardized mathematics assessment.<sup>22</sup> The law also provides that students enrolled in Algebra 1 and Geometry courses must take the associated statewide, standardized end-of-course (EOC) assessment.<sup>23</sup> A student must pass the statewide, standardized Algebra I EOC assessment, or earn a comparative score,<sup>24</sup> in order to earn a standard high school diploma.<sup>25</sup> A student who does not achieve a Level 3 or above on the statewide, standardized Mathematics assessment or the Algebra I EOC assessment must be evaluated to determine the nature of the student’s difficulty, the areas of

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<sup>17</sup> Section 1008.25(5)(c), 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>18</sup> See ss. 1008.25(7)(b)3. and 1012.34(2)(e), F.S.

<sup>19</sup> Section 1008.25(7)(a), F.S.

<sup>20</sup> Section 1008.25(7)(b)4., F.S.

<sup>21</sup> Sections 1008.25(5)(b), F.S.

<sup>22</sup> Section 1008.22(3)(a), F.S. Beginning with the 2022-2023 school year, the end-of-year comprehensive progress monitoring assessment is the statewide, standardized mathematics assessment for students in grades 3 through 8.

<sup>23</sup> Section 1008.22(3)(b), F.S. An EOC assessment counts as 30 percent of a student’s final course grade. Section 1008.22(3)(b)4., F.S.

<sup>24</sup> Beginning with students entering grade 9 in the 2019-2020 school year, a comparative passing score on the Math section of the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT), the SAT or the ACT, or on the Geometry EOC assessment may be used to meet the Algebra I EOC assessment graduation requirement. See rule 6A-1.09422(8)(b)2., F.A.C.

<sup>25</sup> Section 1003.4282(3)(b), F.S.

academic need, and strategies for providing academic supports to improve the student's performance.<sup>26</sup>

A student who is not meeting the school district or state requirements for satisfactory performance in mathematics must be covered by one of the following plans:<sup>27</sup>

- A federally required student plan such as an individual education plan;
- A schoolwide system of progress monitoring for all students, except that a student who scores Level 4 or above on the Mathematics assessment may be exempted from participation by the principal; or
- An individualized progress monitoring plan.

### Coordinated Screening and Progress Monitoring System

The recently procured statewide, standardized coordinated screening and progress monitoring system (system) used to measure student progress in the Voluntary Prekindergarten Education Program (VPK) and public schools to identify the educational strengths and needs of students.<sup>28</sup> The system measures student progress in meeting the appropriate expectations in early literacy and mathematics skills and in English Language Arts (ELA) and mathematics standards. For students in VPK through grade 3, the system measures student performance in oral language development, phonological and phonemic awareness, knowledge of print and letters, decoding, fluency, vocabulary, and comprehension, as applicable by grade level. The system provides interval level and norm-referenced data that measures equivalent levels of growth.<sup>29</sup> Additionally, the system is required to:<sup>30</sup>

- Provide screening and diagnostic capabilities for monitoring student progress.
- Identify students who have a substantial deficiency in reading, including students with characteristics of dyslexia and other learning disorders.
- Inform instruction.
- Be computer-adaptive, beginning in the 2023-2024 school year.
- Provide data for VPK program accountability required under s. 1002.68, F.S.
- Provide VPK providers, school districts, schools, teachers, and parents with data and resources that enhance differentiated instruction and parent communication.
- Provide baseline data to the Department of Education (DOE) of each student's readiness for kindergarten.
- Assess how well educational goals and curricular standards are met at the provider, school, district, and state levels and provide information to the department to aid in the development of educational programs, policies, and supports for providers, districts, and schools.

### Parental Notification and Engagement

Florida law requires that parents of public school students be provided accurate and timely information regarding their child's academic progress and informed of ways they can help their child to succeed in school.<sup>31</sup> Among other things, parents must be provided the student's report card and progress reports, the school's grade designation or, if applicable, the school's improvement rating, and the school's accountability report.<sup>32</sup> Students and their parents must be notified regarding student promotion policies, including policies for whole grade and mid-year promotion, grade 3 retention, and remediating academic deficiencies.<sup>33</sup>

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<sup>26</sup> Section 1008.25(4)(a), F.S.

<sup>27</sup> Section 1008.25(4)(b), F.S.

<sup>28</sup> Section 1008.25(8)(a)1., F.S.

<sup>29</sup> Section 1008.25(8)(a)2., F.S.

<sup>30</sup> Section 1008.25(8)(a)3.-7., F.S.

<sup>31</sup> Section 1002.20, F.S. (introductory paragraph at beginning of section). *See also* s. 1008.25(1), F.S.

<sup>32</sup> Section 1002.20(14)-(16), F.S.

<sup>33</sup> Section 1008.25(2), (4), (5), and (7), F.S.

When a student is identified with a substantial reading deficiency, Florida law requires the student's school to notify his or her parent.<sup>34</sup> The school must provide an explanation of the child's particular difficulty in reading as well as descriptions of the services available and proposed interventions designed to address the child's reading deficiency.<sup>35</sup> Parents are also provided with a "read-at-home plan," which outlines strategies that parents can use to help their children improve in reading, information about the student's eligibility for the New World's Reading initiative, and additional resources to support parent involvement.<sup>36</sup> After initial notification, the school must apprise the parent at least monthly of the student's progress in response to the intensive interventions and supports provided. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement.<sup>37</sup>

In addition, parents must receive their child's performance results on the statewide, standardized ELA and mathematics assessments in an easy to understand format within 1 week after the school district receives results from the department.<sup>38</sup> Among other requirements, the results report must outline specific actions and available resources for parents to assist their child based on identified strengths and weaknesses.<sup>39</sup>

### Standards and Curricula for Prekindergarten

Private prekindergarten providers and public schools may select or design the curriculum used to implement the VPK program, unless a provider or school has been placed on probation.<sup>40</sup> The curriculum must:

- be developmentally appropriate;
- be designed to prepare a student for early literacy and provide instruction for early math skills;
- enhance the age-appropriate progress of students in attaining the VPK performance standards; and
- support student learning gains through differentiated instruction that shall be measured by the coordinated screening and progress monitoring program.<sup>41</sup>

Private providers and public schools placed on probation are required to use a curriculum approved by the DOE.<sup>42</sup>

### New Worlds Reading Initiative

In 2021, the Florida Legislature created the New Worlds Reading Initiative (NWRI or initiative), Florida's first statewide book distribution program, to provide at-home literacy supports for students identified with a substantial reading deficiency<sup>43</sup> or students who scored below a Level 3 on the preceding year's statewide, standardized ELA assessment.<sup>44</sup> To improve the literacy skills of students in kindergarten through grade 12, the NWRI provides home delivery of high-quality, hardcopy free books on a monthly basis to eligible public and charter school students in kindergarten through grade 5. The program is available to students who are reading below grade level.<sup>45</sup> Students remain in the initiative until they are

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<sup>34</sup> Section 1008.25(5)(d), F.S.

<sup>35</sup> Section 1008.25(5)(d)1-3., F.S.

<sup>36</sup> Section 1008.25(5)(d)5. and 9., F.S.

<sup>37</sup> Section 1008.25(5), F.S. (flush left at the end of the paragraph).

<sup>38</sup> Section 1008.22(7)(h), F.S.

<sup>39</sup> Section 1008.22(7)(h)2.-3., F.S.

<sup>40</sup> Section 1002.67(2)(a), F.S.

<sup>41</sup> Section 1002.67(2)(b)1.-3., F.S.

<sup>42</sup> Section 1002.68(5)(b)3., F.S.

<sup>43</sup> See s. 1008.25(5)(a), F.S.

<sup>44</sup> Sections 1003.485(2) and 1008.22, F.S.

<sup>45</sup> Section 1003.485(2), F.S.

promoted to 6<sup>th</sup> grade or their parent opts out.<sup>46</sup> Their parents are provided resources to help improve their student's reading skills and instill a love of reading.<sup>47</sup>

The Lastinger Center for Learning at the University of Florida administers the NWRI and, in addition to reporting requirements, is responsible for:<sup>48</sup>

- Developing, in consultation with the Just Read, Florida! Office, a selection of high-quality books encompassing diverse subjects and genres for each grade level.
- Distributing books at no cost to students either directly or through an agreement with a book distribution company.
- Assisting local implementation of the initiative by providing marketing materials to school districts and any partnering nonprofit organizations to assist with public awareness campaigns and other activities designed to increase family engagement and instill a love of reading in students.
- Maintaining a clearinghouse for information on national, state, and local nonprofit organizations that support efforts to improve literacy and provide books to children.
- Developing, for parents of students in the initiative, resources and training materials that engage families in reading and support the reading achievement of their students.
- Providing professional development and resources to teachers that correlate with the books provided through the initiative.
- Developing a micro-credential that requires teachers to demonstrate competency to diagnose literacy difficulties and determine the appropriate range of literacy interventions based upon the age and literacy deficiency of the student; use evidence-based instructional and intervention practices; and effectively use progress monitoring and intervention materials.
- Administering the early literacy micro-credential program, designed specifically for instructional personnel in prekindergarten through grade 3, which includes components on content, student learning, pedagogy, and professional development, built on a strong foundation of 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.

### New Worlds Reading Scholarship Accounts

The New Worlds Reading Scholarship Accounts are established to provide educational options for students enrolled in kindergarten through grade 5, on a first-come, first-served basis, who have a substantial reading deficiency identified under s. 1008.25(5)(a), F.S., or who scored below a Level 3 on the statewide, standardized ELA assessment in the prior school year.<sup>49</sup> An eligible student who is classified as an English Language Learner and is enrolled in a program or receiving services that are specifically designed to meet the instructional needs of such students receives priority for the scholarship.<sup>50</sup> For the 2022-2023 school year, the amount of the scholarship is \$500 per eligible student.<sup>51</sup>

Eligible expenditures for reimbursement include: instructional materials; curriculum; fees for specialized summer education programs designed to improve reading or literacy skills; and fees for after-school education programs designed to improve reading or literacy skills. The scholarship may also be used for tuition and fees for part-time tutoring services provided by a person who holds a valid teaching certificate pursuant to s. 1012.56, F.S.; a person who holds a baccalaureate or graduate degree in the

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<sup>46</sup> Section 1003.485(6)(e), F.S.

<sup>47</sup> Section 1003.485(4)(e), F.S.

<sup>48</sup> Section 1003.485(4)(a)-(h), F.S.

<sup>49</sup> Section 1002.411, F.S.

<sup>50</sup> Section 1002.411(2), F.S.

<sup>51</sup> Florida Department of Education, New Worlds Reading Scholarship Accounts, available at <https://www.fldoe.org/schools/school-choice/k-12-scholarship-programs/reading/>.

subject area; a person who holds an adjunct teaching certificate pursuant to s. 1012.57, F.S.; or a person who has demonstrated a mastery of subject area knowledge pursuant to s. 1012.56(5), F.S.;<sup>52</sup>

### Reading Achievement Initiative for Scholastic Excellence

In 2021, the Florida Legislature established the Reading Achievement Initiative for Scholastic Excellence (RAISE) program within the DOE.<sup>53</sup> The RAISE program provides instructional supports to school districts, school administrators, and instructional personnel in implementing evidence-based reading instruction and interventions in order to improve student reading achievement.<sup>54</sup>

Under the RAISE program, the DOE must establish 20 literacy support regions and regional support teams in Florida to assist schools in improving low reading scores.<sup>55</sup> Eligible schools include:<sup>56</sup>

- schools serving students in kindergarten through grade 5 where 50 percent of the students score below a Level 3 on the statewide, standardized English Language Arts (ELA) assessment for any grade level; and
- schools where 50 percent or more of students in kindergarten through grade 3 are not on track to pass the grade 3 ELA assessment based on data from the coordinated screening and progress monitoring system.

Identified schools are required to implement a school improvement plan with strategies to improve reading performance.<sup>57</sup> The DOE identified 1,061 elementary schools for support as RAISE schools in the 2022-2023 school year.<sup>58</sup>

As part of the RAISE program, the DOE must establish a tutoring program and develop training to prepare eligible high school students to tutor students in kindergarten through grade 3.<sup>59</sup>

### Florida Center for Mathematics and Science Education Research

To increase student achievement in mathematics and science, with an emphasis on kindergarten through grade 12 education, the DOE contracts with Florida State University to operate the Florida Center for Mathematics and Science Education Research (center).<sup>60</sup> Among other responsibilities, the center provides technical assistance and support to school districts and schools in the development and implementation of mathematics and science instruction.<sup>61</sup> The center also develops comprehensive course frameworks for mathematics and science courses that emphasize rigor and relevance at the elementary, middle, and high school levels.<sup>62</sup>

Specifically, the center must conduct and apply research on policy and practices related to mathematics and science instruction and assessments in the state and student acquisition of mathematics and science knowledge and skills.<sup>63</sup> The center must also disseminate information regarding research-based teaching practices in mathematics and science to teachers and educators.<sup>64</sup>

### Resources

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<sup>52</sup> Section 1002.411(3)(a),2. F.S.

<sup>53</sup> Section 1008.365, F.S.

<sup>54</sup> Section 1008.365(2), F.S.

<sup>55</sup> Section 1008.365(3), F.S.

<sup>56</sup> Section 1008.365(4), F.S.

<sup>57</sup> Section 1008.365(4), F.S.

<sup>58</sup> Email, Keenan Vernon, Deputy Legislative Affairs Director, Florida Department of Education, RE: Questions re: reading (Feb. 21, 2023) (on file with the House Education Quality Subcommittee).

<sup>59</sup> Section 1008.365(8), F.S.

<sup>60</sup> Section 1004.86, F.S.

<sup>61</sup> Section 1004.86(1)(a), F.S.

<sup>62</sup> Section 1004.86(1)(d), F.S.

<sup>63</sup> Sections 1004.86(1)(b) and (c), F.S.

<sup>64</sup> Section 1004.86(1)(e), F.S.



## *Reading Instruction Allocation*

The evidence-based reading instruction allocation was created to provide comprehensive reading instruction to any student in prekindergarten through grade 12 and those students who exhibit a substantial deficiency in early literacy. Funds for comprehensive, evidence-based reading instruction are allocated annually to each school district in the amount provided in the General Appropriations Act.<sup>65</sup> In Fiscal Year 2022-2023, \$170,000,000 was appropriated for the evidence-based reading instruction allocation.<sup>66</sup> Funds may be used for the following:<sup>67</sup>

- Additional time per day of evidence-based intensive reading instruction to students, which may be delivered during or outside of the regular school day.
- Kindergarten through grade 12 evidence-based intensive reading interventions.
- Highly qualified reading coaches, who must be endorsed in reading, to specifically support teachers in making instructional decisions based on student data, and improve teacher delivery of effective reading instruction, intervention, and reading in the content areas based on student need.
- Professional development to help instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program earn a certification, a credential, an endorsement, or an advanced degree in scientifically researched and evidence-based reading instruction.
- Summer reading camps, using only teachers or other district personnel who possess a micro-credential<sup>68</sup> or are certified or endorsed in reading<sup>69</sup>, for all students in kindergarten through grade 5 who demonstrate a reading deficiency as determined by district and state assessments.
- Scientifically researched and evidence-based supplemental instructional materials as identified by the Just Read, Florida! Office.
- Incentives for instructional personnel and certified prekindergarten teachers funded in the Florida Education Finance Program who possess a reading certification, endorsement, or micro-credential and provide educational support to improve student literacy.
- Tutoring in reading.

Annually, by a date determined by the DOE, each school district must submit a comprehensive reading plan approved by the district school board, charter school governing board, or lab school board of trustees, for the specific use of the evidence-based reading instruction allocation, based upon a root-cause analysis. The State Regional Literacy Director may assist in the development of the plan. The department must provide a plan format. A district school board may use the format developed by the department or a format developed by the district school board.<sup>70</sup>

By July 1 of each year, the department shall release to each school district its allocation of appropriated funds. The DOE shall evaluate the implementation of each school district plan, including conducting site visits and collecting specific data on expenditures and reading improvement results. By February 1 of each year, the DOE shall report its findings to the Legislature and the State Board of Education (SBE), including any recommendations for improving implementation of evidence-based reading and intervention strategies in classrooms.<sup>71</sup>

## *Supplemental Academic Instruction Allocation*

Funds for the supplemental academic instruction (SAI) allocation are provided annually to school districts for supplemental academic instruction to students in kindergarten through grade 12.<sup>72</sup> In Fiscal

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<sup>65</sup> Section 1011.62(8), F.S.

<sup>66</sup> Specific Appropriations 5 and 86, ch. 2022-156, L.O.F.

<sup>67</sup> Section 1011.62(8)(d), F.S.

<sup>68</sup> Section 1003.485(4)(h), F.S.

<sup>69</sup> Section 1008.25(7)(b)3., F.S.

<sup>70</sup> Section 1011.62(8)(e)1., F.S.

<sup>71</sup> Section 1011.62(8)(e)3., F.S.

<sup>72</sup> Section 1011.62(1)(f), F.S.

Year 2022-2023, \$719,314,907 was appropriated for SAI.<sup>73</sup><sup>74</sup> These funds are provided in addition to the funds appropriated on the basis of FTE student membership in the Florida Education Finance Program and are included in the total potential funds for each school district.<sup>75</sup> School districts that have a school earning a grade of “D” or “F” must use that school’s portion of the SAI allocation to implement intervention and support strategies for school improvement,<sup>76</sup> salary incentives,<sup>77</sup> or salary supplements.<sup>78</sup>

For all other schools, the school district’s use of the SAI allocation may include, but is not limited to: the use of a modified curriculum; reading instruction; after-school instruction; tutoring; mentoring; a reduction in class size; extended school year; intensive development in summer school; dropout prevention programs; and other methods of improving student achievement.<sup>79</sup> Supplemental academic instruction may be provided to a student in any manner and at any time during or beyond the regular 180-day term identified by the school as being the most effective and efficient way to best help the student progress from grade to grade and to graduate.<sup>80</sup>

### Academic Intervention and Credit Recovery

Florida offers Credit Recovery for students who need academic intervention or additional support in order to graduate.<sup>81</sup> District school boards offer Credit Recovery courses and programs at both the school district and individual school level. Credit Recovery courses are elective credit-bearing courses with specific content requirements defined by Florida academic standards. Students enrolled in a Credit Recovery course must have previously attempted the corresponding course, the EOC assessment, or both, as the course requirements for the Credit Recovery course are the same as the previously attempted corresponding course. Credit Recovery courses should only be used for recovery, grade forgiveness, or remediation for students needing to prepare for an EOC assessment retake.<sup>82</sup>

Credit recovery programs are typically part-time or co-enrolled, and are offered at physical traditional and alternative schools to provide an independent, self-directed learning environment using a computer-based curriculum that provides students with the opportunity to earn high school credits. Another option for students is the utilization of an online or virtual course, which provides the opportunity for students to make up credit anytime from anywhere. Online or virtual courses often include face-to-face instruction and one-on-one assistance through the virtual platform.<sup>83</sup>

### **Effect of Proposed Changes**

The bill creates a framework for increasing mathematics proficiency in Florida by requiring the identification of any student in kindergarten through grade 4 who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia based upon screening, diagnostic progress monitoring, or assessment data; statewide assessments; or teacher observations. Immediately following the identification of the mathematics deficiency, the student must be provided systematic and explicit mathematics instruction to address his or her specific deficiencies. Instruction must be through either daily targeted small group mathematics intervention based on student need or supplemental,

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<sup>73</sup> Specific Appropriations 5 and 86, ch. 2022-156, L.O.F.

<sup>74</sup> Florida Department of Education, *2022-23 Funding for Florida School Districts (2022)*, at 23, available at <https://www.fldoe.org/core/fileparse.php/7507/urlt/fefpdist.pdf>.

<sup>75</sup> Section 1011.62(1)(f)2., F.S.

<sup>76</sup> Section. 1011.62(1)(f), F.S.

<sup>77</sup> *Id.*

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

<sup>79</sup> Section 1011.62(1)(f)2., F.S.

<sup>80</sup> Section 1011.62(1)(f)2., F.S.

<sup>81</sup> Florida Department of Education, *Secondary Student Progression (2021)*, at 13, available at <https://www.fldoe.org/core/fileparse.php/7764/urlt/SecondaryStudentProgressionFAQ.pdf>.

<sup>82</sup> Paul O. Burns, EdD., *High School Graduation and Completion Options*, presentation before the House Education Quality Subcommittee (Feb. 8, 2023), at 38, available at

<https://www.myfloridahouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3245&Session=2023&DocumentType=Meeting+Packets&FileName=eqs+2-8-23.pdf>.

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

evidence-based mathematics interventions before or after school, or both, and delivered by a highly qualified teacher of mathematics or a trained tutor. Additionally, the bill requires student performance, for students identified with a mathematic deficiency, be monitored and instruction be adjusted based on student needs.

The bill requires that school district early warning systems include early warning indicators to identify a student in kindergarten through grade 4 with a substantial mathematics deficiency.

The bill bolsters the current coordinated screening and progress monitoring system by requiring that the system also identify and report the number of students with a substantial deficiency in mathematics as well as students with characteristics of dyscalculia. To bring awareness of the system's capabilities, the bill directs the DOE to develop ways to increase the utilization of student assessment data and resources by instructional staff and parents.

The bill requires that charter school applications describe the mathematics curriculum and differentiated strategies that will be used for students performing at grade level or higher and those to be used for students who are performing below grade level. Charter schools must ensure that mathematics is a focus of their curriculum and that resources are provided to identify and provide specialized instruction for students who are performing below grade level.

### Parental Notification and Engagement

The bill expands parental notification requirements to include immediate notification to the parent of any kindergarten through grade 3 student who exhibits the characteristics of dyslexia and any kindergarten through grade 4 student who exhibits a substantial deficiency in mathematics or the characteristics of dyscalculia. The parent of any student who exhibits a substantial deficiency in mathematics must be notified in writing of the following:

- That his or her child has been identified as having a substantial deficiency in mathematics, including a description and explanation, in terms understandable to the parent, of the exact nature of the student's difficulty in learning and lack of achievement in mathematics.
- A description of the current services that are provided to the child.
- A description of the proposed intensive interventions and supports that will be provided to the child that are designed to remediate the identified area of mathematics deficiency.
- Strategies, including multisensory strategies and programing, through a home-based plan the parent can use in helping his or her child succeed in mathematics.

The bill requires that after initial parental notification, the school inform the parent at least monthly of the student's progress in response to the intensive mathematics interventions and supports. Such communications must be in writing and must explain any additional interventions or supports that will be implemented to accelerate the student's progress if the interventions and supports already being implemented have not resulted in improvement.

In addition to the existing requirement to notify eligible students about information on the New Worlds Reading Initiative book program, the bill adds the requirement to notify parents of eligible students of the New Worlds Scholarship Accounts.

### Identification and Intervention

Similar to students with a substantial reading deficiency, the bill requires that students identified with a substantial mathematics deficiency be covered by a federally required student plan, such as an individual education plan or an individualized progress monitoring plan, or both, as necessary. The bill specifies what the individualized progress monitoring plan for a student with a substantial reading or mathematics deficiency must, at a minimum, include:

- The student's specific, diagnosed reading or mathematics skill deficiencies.
- Goals and benchmarks for student growth in reading or mathematics.
- A description of the specific measures that will be used to evaluate and monitor the student's reading or mathematics progress.

- For a substantial reading deficiency, the specific evidence-based literacy instruction grounded in the science of reading that the student will receive.
- Strategies, resources, and materials that will be provided to the student's parent to support the student to make reading or mathematics progress.
- Any additional services the teacher deems available and appropriate to accelerate the student's reading or mathematics skill development.

The bill provides that a school district may not wait until a federally required student plan or an individualized progress monitoring plan is developed to identify a student who has a deficiency in reading or math and initiate interventions. A school must provide interventions to a student whose parent submits documentation from a specified licensed professional which demonstrates that the student has been diagnosed with dyscalculia, upon receipt of the documentation and based on the student's specific areas of difficulty as identified by the licensed professional.

The bill requires that a student's mathematics proficiency be monitored and the intensive interventions continue until the student demonstrates grade level proficiency in a manner determined by the school district, which may include achieving a Level 3 on the statewide, standardized Mathematics assessment. The SBE must identify by rule guidelines for determining whether a student in kindergarten through grade 4 has a substantial deficiency in mathematics.

The bill requires the DOE to identify state-approved comprehensive reading and intervention programs. Reading intervention programs shall be provided in addition to the comprehensive core reading instruction that is provided to all students in the general education classroom. Dyslexia specific intervention, as defined by SBE rule, must be provided to students who have the characteristics of dyslexia and all struggling readers. The bill specifies that reading intervention programs must:

- Provide explicit, direct instruction that is systematic, sequential, and cumulative in language development, phonological awareness, phonics, fluency, vocabulary, and comprehension, as applicable.
- Provide daily targeted small group reading interventions based on student need in phonological awareness, phonics including decoding and encoding, sight words, vocabulary, or comprehension.
- Be implemented during regular school hours.

The bill also requires the DOE to identify state-approved mathematics intervention programs, curricula, and high-quality supplemental materials which may be used to improve a student's mathematics deficiencies. The DOE in collaboration with the Florida Center for Mathematics and Science Education Research to disseminate information to school districts and teachers on effective, evidence-based, explicit mathematics instructional practices, strategies, and interventions. The DOE must compile resources that each school district must incorporate into a home-based plan provided to the parent of a student who is identified as having a substantial mathematics deficiency. The resources must be made available in an electronic format that is accessible online and must include the following:

- Developmentally appropriate, evidence-based strategies and programming, including links to video training modules and opportunities to sign up for family-guided home mathematics activities delivered periodically via text and e-mail, which a parent can use to help improve his or her child's mathematics skills.
- An overview of the types of assessments used to identify mathematics deficiencies and what those assessments measure or do not measure, the frequency with which the assessments are administered, and the requirements for interventions and supports that districts must provide to students who do not make adequate academic progress.
- An overview of the process for initiating and conducting evaluations for exceptional education eligibility. The overview must include an explanation that a diagnosis of a medical condition alone is not sufficient to establish exceptional education eligibility but may be used to document how that condition relates to the student's eligibility determination and may be disclosed in an eligible student's individual education plan when necessary to inform school personnel responsible for implementing the plan.
- Characteristics of conditions associated with learning disorders, including dyslexia, dysgraphia, dyscalculia, and developmental aphasia.

- A list of resources that support informed parent involvement in decision-making processes for students who have difficulty in learning.

The bill requires, by December 1, 2023, the Florida Center for Mathematics and Science Education Research, in collaboration with the DOE, provide recommendations to the Legislature for preparing teacher candidates and identifying mathematics training and professional learning opportunities for teachers in kindergarten through grade 4 and administrators who support teachers in the classroom.

For students retained in grade 3, the bill enhances school district summer reading camps, placing rigor and grade-level learning at the forefront. The bill also expands instructional strategies that may be used during the 90 minutes of daily uninterrupted reading instruction, provided to students retained in grade 3, to also include:

- Targeted small group instruction.
- Explicit and systematic instruction with more detailed explanations, more extensive opportunities for guided practice, and more opportunities for error correction and feedback.
- More frequent progress monitoring of the reading skills of each student throughout the school year and adjustment of instruction according to student need.
- Before school or after school, or both, supplemental evidence-based reading interventions grounded in the science of reading delivered by a teacher who is certified or endorsed in reading and is rated highly effective as determined by the teacher's performance evaluation.

The bill adds to the requirements of intensive reading acceleration course for any student retained in grade 3 who was previously retained in kindergarten, grade 1, or grade 2, to include: targeted small group instruction and explicit and systematic instruction with more detailed explanations; more extensive opportunities for guided practice; and more opportunities for error correction and feedback.

The bill provides that a VPK program student who exhibits a substantial deficiency in early math skills, based upon the results of the administration of the final coordinated screening and progress monitoring, must be referred to the local school district and may be eligible to receive intensive mathematics interventions before participating in kindergarten.

The bill renames the New Worlds Reading Scholarship Accounts to the New Worlds Scholarship Accounts and expand the scholarships to students in kindergarten through grade 5 that have a substantial deficiency in mathematics, who exhibit characteristics of dyscalculia or dyslexia, or who score below a Level 3 on the statewide, standardized Mathematics assessment.

The bill expands eligible expenses to include fees for summer education and after-school programs designed to improve mathematics skills.

The bill makes conforming changes to reflect the name change to New Worlds Scholarship Accounts.

### Resources

To provide math supports, the bill adds evidence-based mathematics interventions extending beyond the school day, before-school and after-school instruction, and intensive skills development in summer schools that place rigor and grade-level learning at the forefront, to allowable uses of SAI funds. Furthermore, the bill adds students in kindergarten through grade 3 who have characteristics of dyslexia and students in kindergarten through grade 4 who have a substantial deficiency in mathematics or characteristics of dyscalculia to the remedial and supplemental instructional resources priority allocation.

To provide additional reading supports, the bill adds kindergarten through grade 12 evidence-based intensive reading interventions, which may be delivered during the school day, before-school, and after-school, to allowable uses of evidence-based reading instruction funds.

The bill expands the eligibility criteria for the New Worlds Reading Initiative by adding prekindergarten students to the list of students eligible to receive book and any student in prekindergarten through

grade 5 that is not yet reading on grade level or that has a substantial deficiency in early literacy skills based upon the results of the coordinated screening and progress monitoring system. Currently, the program is limited to students in kindergarten to grade 5 with a substantial reading deficiency or scoring below a Level 3 on the statewide, standardized ELA assessment.

To streamline the student verification and enrollment process for the initiative, the bill requires school districts to establish a data sharing agreement with the program administrator, the Lastinger Center at the University of Florida.

The bill requires school district reading plans to describe how the school district prioritizes the assignment of highly effective teachers to kindergarten through grade 2 classrooms as well as how reading coaches are assigned to individual schools and requires the DOE review and approve such provisions.

The bill requires any private prekindergarten provider or public school that fails to meet the minimum learning gains to use state approved curricula.

The bill requires the SBE to define in rule the course standards for dropout prevention and academic intervention programs, also referred to as credit retrieval courses, offered by school districts.

## Reading and Literacy

### Present Situation

#### *The Science of Reading*

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>84</sup> The science of reading, supported by the findings of the National Reading Panel, focuses on teaching five components of reading: phonemic awareness; phonics; fluency; vocabulary; and comprehension.<sup>85</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 dyslexia.<sup>86</sup> Reading development can be divided into three stages: letters and sounds; phonic decoding; and orthographic mapping.<sup>87</sup>

For children to be able to construct an orthographic<sup>88</sup> vocabulary, they must be fluent in phonics and phonemic manipulation. Students must have exposure to decodable text, practice and review in decoding and encoding, and knowledge and application of concept skills. The ultimate goal for reading is comprehension.<sup>89</sup>

Thirty states passed laws or implemented policies on the science of reading addressing the following six areas of curriculum, preparation, and training:<sup>90</sup>

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<sup>84</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* (April 13, 2000), available at <https://www.nichd.nih.gov/sites/default/files/publications/pubs/nrp/Documents/report.pdf>.

<sup>85</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>86</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>87</sup> *Id.*

<sup>88</sup> Keys to Literacy, *The Role of Orthographic Mapping in Learning to Read*, <https://keystoliteracy.com/blog/the-role-of-orthographic-mapping-in-learning-to-read/> (last visited Mar. 6, 2023). Through orthographic mapping, students use the oral language processing part of the brain to map the sounds of words they already know to the letters in a word. They then permanently store the connected sounds and letters of words as instantly recognizable words. *Id.*

<sup>89</sup> Institute for Multi-Sensory Education, *What is the Science of Reading?*, <https://journal.imse.com/what-is-the-science-of-reading/> (last visited Mar. 6, 2023).

<sup>90</sup> Education Week, *Which States Have Passed 'Science of Reading' Laws? What's in Them?*, <https://www.edweek.org/teaching-learning/which-states-have-passed-science-of-reading-laws-whats-in-them/2022/07> (last visited Mar. 6, 2023).

- teacher preparation, requiring institutes of higher education and teacher preparation programs to review their course offerings or instructional approaches;
- educator certification or license renewal, requiring preservice teachers to pass a test demonstrating their knowledge of how to teach reading in order to receive a teacher certificate;
- professional development or coaching, requiring teachers or other educators to undergo professional development in reading instruction, or instituting a program of instructional coaching;
- assessment, putting forth requirements for the type of assessments schools may use to identify reading difficulties or measure reading progress;
- instructional materials, putting forth requirements for the type of curricula and other materials that schools may use to identify reading difficulties or measure reading progress; or
- instruction or intervention, requiring teachers to use specific instructional methods or provide a specific type or frequency of intervention for struggling readers.<sup>91</sup>

As of the beginning of this year, only five states have implemented policies addressing all six areas.<sup>92</sup>

### *Background Knowledge*

Building broad background knowledge, also referred to as content knowledge, is a critical linchpin to helping students become strong readers and creative problem solvers. Cognitive research demonstrates that background knowledge in key subject areas is essential to reading comprehension, helping students not only understand the meaning of a text, but also interpret new words and ideas. For example, strong content knowledge allows a student completing their science reading assignment to properly interpret the word "pupil" as the center of the human eye, rather than a student at school.<sup>93</sup> When a child can easily decode or read words on a page, he or she is able to concentrate more on the meaning of the text. Decoding ability and language comprehension combine to form reading comprehension.<sup>94</sup> Readers can choose between multiple meanings of words if they have a solid foundation of knowledge. Early grades are an essential time for building this knowledge as it is cumulative.<sup>95</sup> The more knowledge a student has about a subject, the faster they can learn more and the easier it is for the student to read, recall, and comprehend the text.<sup>96</sup> As learning happens so quickly, if a student does not receive a strong foundation in core content knowledge, they may never catch up to their peers.<sup>97</sup>

### *Three-Cueing*

Cueing has been a staple of early reading instruction for decades.<sup>98</sup> The strategy which is also known as three-cueing, or meaning, syntax and visual cues (MSV)<sup>99</sup> The three-cueing model for teaching reading, embedded within whole-language and balanced literacy programs, involves prompting

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<sup>91</sup> *Id.*

<sup>92</sup> *Id.* The five states include Alabama, Kentucky, Mississippi, North Carolina, and Tennessee.

<sup>93</sup> National Council on Teacher Quality, *Teacher Prep Review: Building Content Knowledge* (2023), available at [https://www.nctq.org/dmsView/NCTQ\\_Teacher\\_Prep\\_Review\\_Building\\_Content\\_Knowledge\\_2023](https://www.nctq.org/dmsView/NCTQ_Teacher_Prep_Review_Building_Content_Knowledge_2023). See also Braintrust, *Components of the Reading Rope: Background Knowledge*, <https://braintrusttutors.com/components-of-the-reading-rope-background-knowledge/#:~:text=Background%20knowledge%20is%20everything%20a,whatever%20text%20they%20are%20reading> (last visited Mar. 6, 2023).

<sup>94</sup> Reading Rockets, *Building Background Knowledge*, <https://www.readingrockets.org/article/building-background-knowledge> (last visited Mar. 6, 2023).

<sup>95</sup> National Council on Teacher Quality, *Teacher Prep Review: Building Content Knowledge* (2023), at 3, available at [https://www.nctq.org/dmsView/NCTQ\\_Teacher\\_Prep\\_Review\\_Building\\_Content\\_Knowledge\\_2023](https://www.nctq.org/dmsView/NCTQ_Teacher_Prep_Review_Building_Content_Knowledge_2023).

<sup>96</sup> *Id.*

<sup>97</sup> *Id.*

<sup>98</sup> Education Week, *Is this the end of 'Three Cueing'?*, <https://www.edweek.org/teaching-learning/is-this-the-end-of-three-cueing/2020/12>, (last visited Mar. 6, 2023).

<sup>99</sup> Informed Literacy, *5 Problems with Using MSV (aka The Three-Cueing System)*, <https://informedliteracy.com/five-problems-with-using-msv/> (last visited Mar. 6, 2023).



students to draw on context and sentence structure, along with letters, to identify words.<sup>100</sup> Readers are taught to sample the text and rely on prediction and semantic context to infer meaning rather than reading every letter in a word or every word in a sentence.<sup>101</sup> Three-cueing is embedded in curriculum materials used to teach students how to read and taught as a strategy in teacher preparation programs across the United States.<sup>102</sup>

With three-cueing, knowledge of phonics is downplayed due to the belief that an experienced and fluent reader identifies words as unanalyzed wholes.<sup>103</sup> The model suggests that when a student is reading text and comes across a word that is difficult to read, the student should first try to guess what the word is based upon the *meaning*, by using context or accompanying pictures, if any. Secondly, the student should try to guess what the word is based upon *syntax*. Finally, if the other two cueing systems do not provide an appropriate word, the child should use *visual cues* by focusing on the letters and attempting to sound it out.<sup>104</sup>

Research has shown that encouraging students to check the picture when they come to a tricky word, or hypothesize what word would work in the sentence, can take their focus away from the word itself. These techniques lower the chances that the student will use their understanding of letter sounds to read through the word part-by-part, and be able to recognize it more quickly the next time they see it. Two states, Arkansas<sup>105</sup> and Louisiana<sup>106</sup> have laws in place banning any instructional methods employing three-cueing.<sup>107</sup> In 2023, legislation has been filed in Indiana,<sup>108</sup> Nevada,<sup>109</sup> Texas,<sup>110</sup> and New York<sup>111</sup> prohibiting the three-cueing method for teaching reading.

### *Florida Reading and Literacy System Requirements*

Currently, Florida requires that all reading and literacy instructional strategies, throughout the entire education system from teacher preparation programs<sup>112</sup> and professional development systems,<sup>113</sup> to kindergarten through grade 12 classroom instruction and instructional materials,<sup>114</sup> be evidence-based. Additionally, such instructional strategies must incorporate explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension.<sup>115</sup>

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<sup>100</sup> Kymyona Burk, Ed.D., Foundation for Excellence in Education, *The Science of Reading as a Catalyst for Change*, presentation before the Education Quality Subcommittee, (Jan. 17, 2023). See also Petscher et al., *How the Science of Reading Informs 21<sup>st</sup> Century Education*, 0 READING RESEARCH QUARTERLY 1, 6 (2020).

<sup>101</sup> Five From Five, *The three cueing system*, <https://fivefromfive.com.au/the-three-cueing-system/> (last visited Mar. 6, 2023).

<sup>102</sup> Education Week, *Is this the end of 'Three Cueing'?*, <https://www.edweek.org/teaching-learning/is-this-the-end-of-three-cueing/2020/12>, (last visited Mar. 6, 2023). In 2019, an EdWeek Research Center survey found that 75 percent of K-2 and elementary special education teachers use the three-cueing method to teach students how to read, and 65 percent of college of education professors teach it. *Id.*

<sup>103</sup> *Id.*

<sup>104</sup> The Southwest Educational Development Laboratory, *Reading and the Three Cueing Systems*, at 2, available at <https://www.balancedreading.com/3cue.pdf>.

<sup>105</sup> Arkansas Division of Elementary and Secondary Education, *Rules Governing the Right to Read Act*, (Jun. 5, 2022), at 1, available at [https://dese.ade.arkansas.gov/Files/Right to Read Act \(Effective 6-5-22\) Legal.pdf](https://dese.ade.arkansas.gov/Files/Right%20to%20Read%20Act%20(Effective%206-5-22)%20Legal.pdf).

<sup>106</sup> LA. REV. STAT. ANN. § 17:24.10.

<sup>107</sup> NPR Network, *'The evidence is clear': DeWine pushes for 'Science of Reading' as only approach in Ohio classrooms*, <https://www.wvnu.org/education/2023-02-21/mike-de-wine-science-reading-ohio-phonics-three-cueing> (last visited Mar. 6, 2023).

<sup>108</sup> S.B. 402, 123d General Assembly, Reg. Sess. (Ind. 2023), available at <https://iga.in.gov/static-documents/8/1/6/a/816afc52/SB0402.02.COMS.pdf>.

<sup>109</sup> A.B. 187, 82d Legislature, Reg. Sess. (Nev. 2023), available at <https://legiscan.com/NV/text/AB187/id/2710041/Nevada-2023-AB187-Introduced.pdf>.

<sup>110</sup> H.B. 2162, 88th Legislature, Reg. Session (Tex. 2023), available at <https://legiscan.com/TX/text/HB2162/id/2693529/Texas-2023-HB2162-Introduced.html>.

<sup>111</sup> A.B. 2897, General Assembly, (NY 2023), available at [https://legiscan.com/NY/text/A02897/id/2674566/New\\_York-2023-A02897-Introduced.html](https://legiscan.com/NY/text/A02897/id/2674566/New_York-2023-A02897-Introduced.html).

<sup>112</sup> Sections 1004.04, 1004.85, and 1012.56(8), F.S.

<sup>113</sup> Section 1012.98, F.S.

<sup>114</sup> Sections 1006.283 and 1006.31, F.S.

<sup>115</sup> Sections 1001.215 and 1008.25 F.S.



Section 1011.62(8), F.S., relating to evidence-based reading instruction allocation, defines evidence-based as “demonstrating a statistically significant effect on improving student outcomes or other relevant outcomes as provided in 20 U.S.C. s. 8101(21)(A)(i).” Evidence-based activities, strategies, programs, and interventions are supported by four possible levels of evidence:<sup>116</sup>

- Strong - supported by at least one well-designed and well-implemented experimental study
- Moderate - supported by at least one well-designed and well-implemented correlational study.
- Promising - supported by at least one well-designed and well-implemented correlational study.
- Evidence that demonstrates a rationale, supported by at least one well-specified logic model informed by research or an evaluation that suggests how the intervention is likely to improve relevant outcomes.

Balanced literacy is one example of an evidence-based literacy approach, which may include the utilization of the three-cueing system model.<sup>117</sup>

Performance standards for VPK programs are required to address the age-appropriate progress of students in the development of emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development.<sup>118</sup> Each private prekindergarten provider and public school may select or design the curriculum that the provider or school uses to implement the VPK program, except as otherwise required for a provider or school that is placed on probation.<sup>119</sup>

### *The Just Read, Florida Office*

In 2001, Just Read, Florida! (JRF) was established to serve as the comprehensive and coordinated reading initiative for the state,<sup>120</sup> prioritizing reading in Florida’s public schools, community groups, and volunteer organizations that support literacy.<sup>121</sup> Just Read, Florida! is based on the latest reading research that includes emphasis on oral language development, phonological awareness, phonics, vocabulary, fluency and comprehension.<sup>122</sup>

Created within the DOE, the Just Read, Florida Office (JRFO) is responsible for:

- Working with the Florida Center for Reading Research (FCRR) 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>123</sup>
- Providing training to reading coaches and school administrators on evidence-based strategies for implementation, modeling, and classroom observations to support professional growth and inform performance evaluations of instructional personnel.<sup>124</sup>
- Developing and providing 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.<sup>125</sup>

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<sup>116</sup> Elementary and Secondary Education Act (2023), at 388, available at <https://www.govinfo.gov/content/pkg/COMPS-748/pdf/COMPS-748.pdf>. See also National Center on Improving Literacy, *What Do We Mean By Evidence-based?*, [https://improvingliteracy.org/brief/what-do-we-mean-evidence-based#:~:text=Section%208101\(21\)\(A\).Strong%20evidence](https://improvingliteracy.org/brief/what-do-we-mean-evidence-based#:~:text=Section%208101(21)(A).Strong%20evidence) (last visited Mar. 6, 2023).

<sup>117</sup> The Hechinger Report, *Four things you need to know about the new reading wars*, <https://hechingerreport.org/four-things-you-need-to-know-about-the-new-reading-wars/> (last visited Feb. 27, 2023). An example of balanced literacy instruction is three-cueing. *Id.*

<sup>118</sup> Section 1002.67(1)(a)2., F.S.

<sup>119</sup> Sections 1002.67(2)(a) and 1002.68, F.S.

<sup>120</sup> Executive Order 01-260 (2001), available at [https://www.fldoe.org/core/fileparse.php/7539/urlt/just\\_read\\_florida\\_executive\\_order.pdf](https://www.fldoe.org/core/fileparse.php/7539/urlt/just_read_florida_executive_order.pdf).

<sup>121</sup> Florida Department of Education, <https://www.fldoe.org/academics/standards/just-read-fl/> (last visited Mar. 6, 2023).

<sup>122</sup> *Id.*

<sup>123</sup> Section 1001.215(8), F.S.

<sup>124</sup> Section 1001.215(1), F.S.

<sup>125</sup> Section 1001.215(4), F.S.

- Creating multiple designations of effective reading instruction, with accompanying credentials, to enable all teachers to integrate reading instruction into their content areas.<sup>126</sup>
- Working with the Lastinger Center for Learning at the University of Florida to create training for kindergarten through 12 teachers, reading coaches, and school administrators on effective content-area-specific reading strategies, the coordinated integration of content-rich curriculum from other core subject areas into reading instruction, with a focus on civic literacy, and evidence-based reading strategies identified to improve student reading performance.<sup>127</sup>
- Providing parents information and strategies that have been proven effective to help their children learn to read, including reading in content areas.<sup>128</sup>
- Working with state-approved teacher preparation programs to integrate effective, evidence-based reading instructional and intervention strategies, including explicit, systematic, and sequential reading strategies, multisensory intervention strategies, and reading in content area instructional strategies into teacher preparation programs.<sup>129</sup>
- Providing technical assistance to school districts in the development and implementation of district plans for use of the evidence-based reading instruction allocation<sup>130</sup> and annually reviewing and approving such plans.<sup>131</sup>
- Reviewing, evaluating, and providing technical assistance to school districts' implementation of the comprehensive reading plan.<sup>132</sup>
- Periodically reviewing the State Standards for English Language Arts to determine their appropriateness at each grade level.<sup>133</sup>
- Periodically reviewing teacher certification requirements and examinations to ascertain whether the examinations measure the skills needed for evidence-based reading instruction and instructional strategies for teaching reading.<sup>134</sup>

### *Instructional Materials Adoption*

Each district school board has the constitutional duty and responsibility to select and provide adequate instructional materials for all students for core courses in mathematics, language arts, science, social studies, reading, and literature for kindergarten through grade 12.<sup>135</sup> “Instructional materials” are items having intellectual content that by design serve as a major tool for assisting in the instruction of a subject or course. These items may be available in bound, unbound, kit, or package form and may consist of hardbacked or soft backed textbooks, electronic content, consumables, learning laboratories, manipulatives, electronic media, and computer courseware or software. A publisher or manufacturer providing instructional materials as a single bundle must also make the instructional materials available as separate and unbundled items, each priced individually. A publisher may also offer sections of state-adopted instructional materials in digital or electronic versions at reduced rates to districts, schools, and teachers.<sup>136</sup>

The DOE facilitates the instructional materials adoption process statewide through evaluation of materials submitted by publishers and manufacturers.<sup>137</sup> Before adopting instructional materials in a certain subject area, the DOE publishes specifications for the materials. These specifications detail the courses for which materials are sought and the standards the materials must meet.<sup>138</sup> Expert reviewers chosen by the DOE must objectively evaluate materials based on alignment to Florida’s state-adopted

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<sup>126</sup> Section 1001.215(2), F.S.

<sup>127</sup> Section 1001.215(3), F.S.

<sup>128</sup> Section 1001.215(5), F.S.

<sup>129</sup> Section 1001.215(11), F.S.

<sup>130</sup> Section 1011.62(8), F.S.

<sup>131</sup> Section 1001.215(6), F.S.

<sup>132</sup> Sections 1001.215(7) and 1011.62(8), F.S.

<sup>133</sup> Section 1001.215(9), F.S.

<sup>134</sup> Section 1001.215(10), F.S.

<sup>135</sup> See s. 1006.28(2), F.S.

<sup>136</sup> See ss. 1006.28(1) and 1006.29(2), F.S.

<sup>137</sup> Section 1006.34(1), F.S.

<sup>138</sup> Florida Department of Education, *Policies and Procedures for the Florida Instructional Materials Adoption*, at 1, available at

<http://www.fldoe.org/core/fileparse.php/5574/urlt/PoliciesandProceduresSpecifications.pdf>.

standards, accuracy, and suited to student needs and their ability to comprehend the material presented.<sup>139</sup> Based on reviewer recommendations of materials, the Commissioner of Education (commissioner) then selects and adopts instructional materials for each grade and subject under consideration.<sup>140</sup> The DOE must provide training to instructional materials reviewers prior to the reviewers beginning the review and selection process.<sup>141</sup>

Generally, the commissioner adopts instructional materials according to a 5-year rotating schedule. The commissioner may approve a shorter schedule if the content area requires more frequent revision.<sup>142</sup> The DOE annually publishes an official schedule of subject areas calling for adoption for each of the succeeding two years and a tentative schedule for years three through five. Under extenuating circumstances, the commissioner may direct the DOE to add one or more subject areas to the official schedule.<sup>143</sup>

The following chart shows the adoption schedule for instructional materials through 2025-26:<sup>144</sup>

Adoption Year	Subject Area	Specifications and Criteria Available	State Adoption Process	Effective Date of Contract April 1 – March 31
2021-2022	Mathematics, K-12	Nov. 2020	April 2021-2022	2022-2027
2022-2023	Social Studies, K-12	Nov. 2021	April 2022-2023	2023-2028
2023-2024	Science, K-12	Nov. 2022	April 2023-2024	2024-2029
2024-2025	Career and Technical Education, World Languages, Art, Music, Dance, Health and Computer Science, K-12	Nov. 2023	April 2024-2025	2025-2030
2025-2026	English Language Arts, K-12	Nov. 2024	April 2025-2026	2026-2031

“Each district school board is responsible for the content of all instructional materials and any other materials used in the classroom, made available in a school library, or included on a reading list, whether adopted and purchased from the state-adopted instructional materials list, adopted and purchased through a district instructional materials program under s. 1006.283, or otherwise purchased or made available.”<sup>145</sup> If a district school board adopts instructional materials from the state-adopted list, then within the first three years of the state adoption of that instructional material the school district superintendent must purchase the instructional material.<sup>146</sup> The superintendent must keep adequate records and accounts for all financial transactions related to instructional materials.<sup>147</sup> The superintendent must notify the DOE by April 1 of each year of the state-adopted instructional materials that will be requisitioned. The notification must include a district school board plan for instructional materials use to assist in determining if adequate instructional materials have been requisitioned.<sup>148</sup>

A district school board, or consortium of school districts, choosing to implement its own instructional materials program, is not required to purchase instructional materials from the state-adopted list,<sup>149</sup>

<sup>139</sup> Section 1006.31, F.S.

<sup>140</sup> Section 1006.34(2)(a), F.S.

<sup>141</sup> Section 1006.29(5), F.S.

<sup>142</sup> Section 1006.36(1), F.S.

<sup>143</sup> Section 1006.36(2), F.S.

<sup>144</sup> Florida Department of Education, *Florida Instructional Materials Adoption Schedule for Adoption Years 2021-2022 through 2025-2026* (Jan. 24, 2022), available at <https://www.fldoe.org/core/fileparse.php/5574/urlt/AdoptionCycle.pdf>.

<sup>145</sup> Section 1006.28(2)(a)1., F.S.

<sup>146</sup> Section 1006.37(1), F.S.

<sup>147</sup> Section 1006.28(3)(a), F.S.

<sup>148</sup> Section 1006.28(3)(b), F.S.

<sup>149</sup> Section 1006.40(7), F.S.

requisition instructional materials from the publisher's depository<sup>150</sup> or follow the same review cycle used for state instructional materials adoption.<sup>151</sup>

If a district school board chooses to implement its own instructional materials program, the district school board must adopt rules implementing the program. The rules must include its processes, criteria, and requirements for:<sup>152</sup>

- selecting instructional materials reviewers, one or more of who must be a parent with children in public schools;
- reviewing and selecting instructional materials, including a thorough review of curriculum content;
- providing for reviewer recommendations;
- adopting instructional materials by the district school board; and
- purchasing instructional materials.

The rules must also:<sup>153</sup>

- identify, by subject area, a review cycle for instructional materials;
- specify the qualifications for, selection process for, and the duties of instructional materials reviewers, including compliance with statutorily prescribed conflict of interest affidavits and state instructional materials reviewer duties;
- require that all instructional materials recommended by a reviewer be accompanied by the reviewer's statement that the materials align with the applicable state standards;
- establish a process for certifying the accuracy of instructional materials;
- require reviewer and publisher compliance with the law prohibiting the acceptance or solicitation of money or inducements to influence approval or purchase of instructional materials;<sup>154</sup> and
- incorporate the requirements of state law regarding publisher duties, responsibilities, and requirements.

Each school district superintendent must annually, by July 1, certify to the Commissioner of Education that the district school board has approved a comprehensive staff development plan supporting fidelity of implementation of instructional materials programs. Certification includes verification that:<sup>155</sup>

- training was provided;
- materials are being implemented as designed; and
- core reading and reading intervention materials used in kindergarten through grade 5 meet minimum requirements.<sup>156</sup>

### *Funding for Instructional Materials*

Funding for instructional materials is provided annually by the Legislature in the General Appropriations Act (GAA). The following chart shows GAA funding for instructional materials since FY 2015-16:

<b>Instructional Materials Funding History</b>	
<b>Fiscal Year</b>	<b>Amount</b>
2015-16 <sup>157</sup>	\$225,830,113

<sup>150</sup> Section 1006.37(3), F.S.

<sup>151</sup> See s. 1006.283(2)(b), F.S. However, the school district school superintendent must certify to the Department of Education by March 31 of each year that all instructional materials for core courses used by the school district are aligned with applicable state standards. A list of the core instructional materials that will be used or purchased for use by the school district must be included in the certification. Section 1006.283(1), F.S.

<sup>152</sup> Section 1006.283(2)(a), F.S.

<sup>153</sup> Section 1006.283(2)(b), F.S. See s. 1006.38, F.S.

<sup>154</sup> Section 1006.283(2)(b)3., F.S. Like state instructional materials reviewers, district reviewers must sign an affidavit required under s. 1006.30, F.S., stating, in part, that they will faithfully discharge their duties and not accept payment or benefit from anyone for their recommendations. *Id.*

<sup>155</sup> Section 1011.67(2), F.S.

<sup>156</sup> See s. 1001.215(8), F.S. (requirements for reading programs are established by the Just Read, Florida! Office at DOE).

<sup>157</sup> Specific Appropriations 7, and 90, ch. 2015-232, L.O.F.

2016-17 <sup>158</sup>	\$228,792,422
2017-18 <sup>159</sup>	\$230,743,258
2018-19 <sup>160</sup>	\$232,934,691
2019-20 <sup>161</sup>	\$233,951,826
2020-21 <sup>162</sup>	\$236,574,333
2021-22 <sup>163</sup>	\$241,135,805
2022-23 <sup>164</sup>	\$246,978,361

Unless a school district has implemented its own instructional materials program<sup>165</sup>, any instructional materials purchased using the annual allocation must be aligned with the state academic standards<sup>166</sup> and included on the state-adopted instructional materials list.<sup>167</sup> Up to 50 percent of the annual allocation may be used to:

- purchase library and reference books and nonprint materials;
- purchase other materials having intellectual content that assist in the instruction of a subject or course; or
- repair or renovate textbooks and library books and replace items that were part of previously purchased instructional materials.<sup>168</sup>

Instructional materials funds available after March 1 may be used to purchase hardware for student instruction.<sup>169</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>170</sup>

## Effect of Proposed Changes

### Science of Reading

The bill requires reading literacy instruction, curriculum, materials, and practices to be grounded in the science of reading for effectual student outcomes. The requirement applies to

- The New Worlds Reading Initiative micro-credential.
- Training for literacy support directors and the tutoring program under RAISE
- Curricula for teacher preparation and alternative certification programs, to include initial teacher preparation programs and educator preparation institutes offered at the postsecondary level, and district school board provided Professional Development Certification and Education Competency programs.
- State approved instruction and intervention programs for students in K-3 that have been identified as having a substantial reading deficiency or characteristics of dyslexia.
- District school board instruction, interventions, curricula, and programs for retained grade 3 students.
- VPK performance standards and curriculum.
- Courses in emergent literacy for prekindergarten instructors.

The bill provides teachers, school leaders, parents, and educator preparation programs and associated faculty with resources focused on the science of reading, by requiring the Just Read, Florida! Office in

<sup>158</sup> Specific Appropriations 7, and 94, ch. 2016-66, L.O.F.

<sup>159</sup> Chapter 2017-234, L.O.F.

<sup>160</sup> Specific Appropriations 6, and 92, ch. 2018-9, L.O.F.

<sup>161</sup> Specific Appropriations 6, and 93, ch. 2019-115, L.O.F.

<sup>162</sup> Specific Appropriations 8 and 92, ch. 2020-111, L.O.F.

<sup>163</sup> Specific Appropriations 7 and 90, ch. 2021-36, L.O.F.

<sup>164</sup> Specific Appropriations 5 and 86, ch. 2022-156, L.O.F.

<sup>165</sup> Section 1006.283(1), F.S.

<sup>166</sup> Section 1003.41(1), F.S.

<sup>167</sup> Section 1006.40(3)(a), F.S. Materials not on the state adopted list include library books, reference books, and nonprint materials. Section 1006.40(3)(b), F.S.

<sup>168</sup> Section 1006.40(3)(b), F.S.

<sup>169</sup> Section 1011.62(6)(b)2., F.S.

<sup>170</sup> Section 1006.40(6), F.S.

collaboration with the Lastinger Center at the University of Florida, to develop and provide access to an online repository of such digital resources.

### Background Knowledge

The bill requires that performance standards for VPK students and courses in emergent literacy for prekindergarten instructors include foundational background knowledge designed to correlate with the content that students will encounter in kindergarten through grade 12. In addition, the bill requires VPK curriculum, for private prekindergarten providers and public schools, develop student's background knowledge through a content-rich and sequential knowledge building early literacy curriculum.

## Three-Cueing

The bill requires a system-wide prohibition of the three-cueing system model of reading or visual memory from teacher preparation programs, instructional practices, materials, and professional training. The bill establishes that the primary instructional strategy for teaching word reading is phonics instruction for decoding and encoding. Florida's reading instructional and intervention programs must not include strategies that employ the three-cueing system model of reading or visual memory as a basis for teaching word reading. Programs may include visual information and strategies which improve background and experiential knowledge, add context, and increase oral language and vocabulary to support comprehension, but must not be used to teach word reading.

Florida's teacher preparation programs include the traditional pathway offered at postsecondary institutes, and alternative pathway programs offered through state-approved educator preparation institutes, and school district professional development certification and education competency programs. The bill prohibits three-cueing in the uniform core curricula of all teacher preparation programs.

The bill prohibits three-cueing in instructional materials approved by the DOE, instructional materials adopted by district school boards, and instructional materials used at public charter schools. In addition, the bill prohibits three-cueing in Just Read, Florida! approved reading resources and programs offered through the online repository, district school board reading allocation plans, and materials or resources utilized for retained grade 3 students.

The bill specifies that all district school board professional training that includes three-cueing is prohibited from being offered to teachers, reading coaches, and school administrators. If a district school board decides to contract with an outside professional training provider, the board must certify that the contractor does not use three-cueing in all training offerings.

Furthermore, the bill appropriates and places in reserve \$158 million in nonrecurring funds from the General Revenue Fund to the DOE as follows:

- \$150 million to assist school districts in implementing the provisions of the bill. The bill requires the DOE to complete a need assessment that identifies the required changes that must be made by each school district to convert from a three-cueing model to a model grounded in the science of reading. The DOE is authorized to submit a budget amendment pursuant to chapter 216, Florida Statutes, requesting release of the funds contingent upon the submission of a detailed spend plan that is aligned to the needs assessment and describes how the funds requested for release will be expended.
- \$8 million to the DOE to implement the provision of the bill. The DOE is authorized to submit a budget amendment requesting release of the funds pursuant to chapter 216, Florida Statutes, with release contingent upon the submission of a detailed spend plan that describes how the funds requested for release will be expended.

## Other

The bill updates outdated references to the "Next Generation Sunshine State Standards," replacing it with the term "state standards".

### B. SECTION DIRECTORY:

**Section 1.** Amending s. 1001.215, F.S., revising the responsibilities of the Just Read, Florida! Office; revising the requirements for certain reading instructional and intervention programs; revising the primary instructional strategy for word reading.

**Section 2.** Amending s. 1001.42, F.S., revising the requirements for the early warning system for certain students.

**Section 3.** Amending s. 1002.20, F.S., conforming provisions to changes made by the act.

- Section 4.** Amending s. 1002.33, F.S., revising the requirements for charter school applications and charters; providing requirements for such strategies.
- Section 5.** Amending s. 1002.411, F.S., renaming the New Worlds Reading Scholarship Accounts as the “New Worlds Scholarship Accounts”; revising the eligibility criteria for a scholarship account; revising eligible expenditures for such accounts.
- Section 6.** Amending s. 1002.59, F.S., revising the standards for emergent literacy and performance standards training courses.
- Section 7.** Amending s. 1002.67, F.S., revising the performance standards for students in a specified program; revising the requirements for certain prekindergarten curricula.
- Section 8.** Amending s. 1003.485, F.S., revising the definition of the term “micro-credential” within the New Worlds Reading Initiative; revising the student eligibility criteria and administrator responsibilities for the initiative; requiring school districts to establish a specified agreement with the initiative administrator.
- Section 9.** Amending s. 1003.53, F.S., requiring district school boards to establish specified course standards for certain dropout prevention and academic intervention programs.
- Section 10.** Amending s. 1004.04, F.S., revising the rules for establishing uniform core curricula for the teacher preparation programs.
- Section 11.** Amending s. 1004.85, F.S., revising requirements for the certification program of certain postsecondary educator preparation institutes.
- Section 12.** Amending s. 1004.86, F.S., revising the responsibilities of the Florida Center for Mathematics and Science Education Research.
- Section 13.** Amending s. 1006.283, F.S., providing additional requirements for certain instructional materials.
- Section 14.** Amending s. 1006.31, F.S., providing additional requirements for certain instructional materials.
- Section 15.** Amending s. 1008.25, F.S., revising the priority for the allocation of specified school district resources; providing requirements for an individualized progress monitoring plan; requiring a student who has dyslexia to be provided with certain interventions to address the dyslexia; requiring the Department of Education to provide a specified list of intervention programs; providing requirements for such programs; requiring the department to provide specified daily reading interventions to certain students; requiring students in kindergarten through grade 4 who exhibit a substantial deficiency in mathematics or dyscalculia to be provided with certain instruction; providing methods for such instruction; providing school district requirements; requiring the student's performance to be monitored; requiring the Department of Education to provide a list of approved mathematics intervention programs, curricula, and supplemental materials to specified individuals; providing that certain Voluntary Prekindergarten Education students may be eligible to receive mathematics interventions from local school districts; requiring the parent of a student who has a deficiency in mathematics to be notified; providing requirements for the notification; requiring the school to keep the parent informed of the student's progress; requiring a school to provide additional support to a student with a mathematics deficiency; requiring the department to collaborate with the Florida Center for Mathematics and Science Education Research to compile resources that each school district must incorporate into a home-based plan for students with a mathematics deficiency; providing requirements for the resources; providing that the resources must be provided to a parent in a hardcopy format, if requested; conforming



provisions to changes made by the act; revising requirements for intensive interventions to address student reading deficiencies; revising requirements for a coordinated screening and progress monitoring system; conforming cross-references.

- Section 16.** Amending s. 1008.365, F.S., conforming provisions and cross-references to changes made by the act.
- Section 17.** Amending s. 1011.62, F.S., revising the authorized uses of funds through the supplemental academic instruction allocation and the evidence-based reading instruction allocation; conforming a cross-reference; revising requirements for certain supplemental instructional materials; revising requirements for a specified school district comprehensive reading plan.
- Section 18.** Amending s. 1012.56, F.S., revising requirements for a competency-based professional development certification and education competency program.
- Section 19.** Amending s. 1012.585, F.S., conforming provisions to changes made by the act.
- Section 20.** Amending s. 1012.98, F.S., revising training requirements for reading coaches, classroom teachers, and school administrators to include certain instructional strategies; providing construction with regard to district school boards contracting for certain training.
- Section 21.** Amending s. 1002.37, F.S., conforming cross-references.
- Section 22.** Amending s. 1002.45, F.S., conforming cross-references.
- Section 23.** Amending s. 1002.53, F.S., conforming cross-references.
- Section 24.** Amending s. 1002.68, F.S., conforming cross-references.
- Section 25.** Amending s. 1003.01, F.S., conforming cross-references.
- Section 26.** Amending s. 1008.2125, F.S., conforming cross-references.
- Section 27.** Amending s. 1008.22, F.S., conforming cross-references.
- Section 28.** Amending s. 1008.34, F.S., conforming cross-references.
- Section 29.** Amending s. 1008.345, F.S., conforming cross-references.
- Section 30.** Provides an appropriation.
- Section 31.** Provides an appropriation.
- Section 32.** Provides an effective date.

## **II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

### **A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

None.

2. Expenditures:

The bill appropriates \$8 million for the DOE to implement the provisions of the bill.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

None.

2. Expenditures:

The bill appropriates \$150 million to the DOE to provide to school districts for purposes of school districts implementing the provisions of the bill.

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

None.

**D. FISCAL COMMENTS:**

None.

**III. COMMENTS**

**A. CONSTITUTIONAL ISSUES:**

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

The bill requires the SBE to adopt rules to: establish course standards for credit retrieval courses; define dyslexia specific interventions; and establish guidelines for determining whether a student in kindergarten through grade 4 has a substantial deficiency in mathematics.

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

None.

**IV. AMENDMENTS/COMMITTEE SUBSTITUTE CHANGES**

On March 16, 2023, the PreK-12 Appropriations Subcommittee adopted an amendment and reported the bill favorably as a committee substitute. The amendment:

- appropriates \$150 million in nonrecurring funds from the General Revenue Fund to the DOE to provide to school districts for purposes of implementing the provisions of the bill;
- appropriates \$8 million in nonrecurring funds from the General Revenue Fund to the DOE to implement the provisions of the bill.

On March 23, 2023, the Education & Employment Committee adopted two amendments and reported the bill favorably as a committee substitute. The amendments:

- rename the New Worlds Reading Scholarship Accounts to the New Worlds Scholarship Accounts;
- expand the scholarships to students in kindergarten through grade 5 that have a substantial deficiency in mathematics, who exhibit characteristics of dyscalculia or dyslexia, or who score below a Level 3 on the statewide, standardized Mathematics assessment;
- expand eligible expenses to include fees for summer education and after-school programs designed to improve mathematics skills; and
- make conforming changes to reflect the name change to the New Worlds Scholarship Accounts.

The bill analysis is drafted to the committee substitute adopted by the Education & Employment Committee.

