

## HOUSE OF REPRESENTATIVES STAFF ANALYSIS

**BILL #:** PCB KTS 16-01 Reading Instruction

**SPONSOR(S):** K-12 Subcommittee

**TIED BILLS:** **IDEN./SIM. BILLS:**

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR or BUDGET/POLICY CHIEF
Orig. Comm.: K-12 Subcommittee	9 Y, 0 N	Brink	Fudge

### SUMMARY ANALYSIS

After a period of steady improvement on the FCAT reading assessment and National Assessment of Education Progress during the 2000s, reading scores over the past several years have seen a decreased rate of growth, including for students in 3<sup>rd</sup> grade. The rate of 3<sup>rd</sup> grade students performing below grade level in reading has consistently exceeded 40 percent over the past several years. Although the law requires districts to implement interventions and supports for struggling readers, teachers may not receive adequate training in effective strategies to improve the reading performance of all students, including those with conditions such as dyslexia. To help schools identify struggling readers more quickly and implement effective instruction and interventions, the bill:

- Requires the Just Read, Florida! Office to provide training in explicit, systematic, and multisensory strategies and identify core instructional and intervention materials that incorporate those strategies.
- Requires school districts to use core and supplemental intervention materials identified by the Office in order to receive instructional materials funds.
- Requires teacher preparation programs to provide candidates for specified certification areas training in explicit, systematic, and multisensory reading strategies. Candidates for renewal of a certificate in the specified areas or for a reading endorsement must also receive training in those strategies.
- Prohibits districts from waiting until a student receives a failing grade in reading to initiate interventions.
- Enhances communication to parents by requiring the Department of Education to develop a handbook that districts must provide to parents of students with a substantial reading deficiency and requiring school districts to regularly update the parents on their child's progress.
- Extends early warning system coverage to students in kindergarten through grade 5 and specifies that a substantial reading deficiency is an indicator for students in kindergarten through grade 3.
- Requires teachers who teach retained 3<sup>rd</sup> graders to hold a reading certificate or endorsement.
- Promotes transparency by requiring the Commissioner of Education to annually report to the State Board of Education district reading performance information and identify effective intervention and support strategies used by school districts to improve the performance of struggling readers.
- Requires the department to periodically review certification and coverage areas that involve reading instruction and recommend changes to improve training and instruction.
- Requires prekindergarten instructors to receive training in explicit, systematic, and multisensory reading instruction and requires VPK program providers to provide specialized reading instruction to students who exhibit a deficiency in emergent literacy skills.

For an analysis of the bill's fiscal impact, see FISCAL COMMENTS.

The bill is effective upon becoming a law.

# FULL ANALYSIS

## I. SUBSTANTIVE ANALYSIS

### A. EFFECT OF PROPOSED CHANGES:

#### Background

Florida's history of reading instruction reform dates back to the early 1970s.<sup>1</sup> Since then, the state has implemented a number of initiatives to improve the reading performance of Florida's students. By 2001, Florida established statewide, standardized assessments to measure how well students in grades 3 through 10 had learned the state's reading standards.<sup>2</sup> Also in 2001, Florida Governor Jeb Bush established the Just Read, Florida! initiative, which aimed at helping students become successful, independent readers.<sup>3</sup> The Legislature formally created the Just Read, Florida! Office within the Department of Education in 2006.<sup>4</sup>

The Office must:

- Train highly effective reading coaches.
- Create multiple designations of effective reading instruction, with accompanying credentials, which encourage all teachers to integrate reading instruction into their content areas.
- Train K-12 teachers and school principals on effective content-area-specific reading strategies. For secondary teachers, emphasis shall be on technical text. These strategies must be developed for all content areas in the K-12 curriculum.
- Provide parents with information and strategies for assisting their children in reading in the content area.
- Provide technical assistance to school districts in the development and implementation of district plans for use of the research-based reading instruction allocation and annually review and approve such plans.<sup>5</sup>
- Review, evaluate, and provide technical assistance to school districts' implementation of the K-12 comprehensive reading plan.
- Work with the Florida Center for Reading Research to provide information on research-based reading programs and effective reading in the content area strategies.
- Periodically review the Sunshine State Standards for reading at all grade levels.
- Periodically review teacher certification examinations, including alternative certification exams, to ascertain whether the examinations measure the skills needed for research-based reading instruction and instructional strategies for teaching reading in the content areas.
- Work with initial teacher preparation programs to integrate research-based reading instructional strategies and reading in the content area instructional strategies into teacher preparation programs.
- Administer grants and perform other functions as necessary to meet the goal that all students read at grade level.<sup>6</sup>

After a period of steady improvement on the FCAT reading assessment and National Assessment of Education Progress reading assessment during the 2000s, the growth rate of reading scores has

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<sup>1</sup> Florida Department of Education, *History of Reading Policy in Florida: hearing before the House K-12 Education Subcommittee* (Sept. 17, 2015).

<sup>2</sup> Florida Department of Education, *A Chronology of Events: 2001*, <http://www.fldoe.org/accountability/assessments/k-12-student-assessment/history-of-fls-statewide-assessment/assessment-chronology/hsap01.stml> (last visited on Nov. 7, 2015).

<sup>3</sup> Exec. Order No. 01-260 (2001).

<sup>4</sup> Section 8, ch. 2006-74, L.O.F.

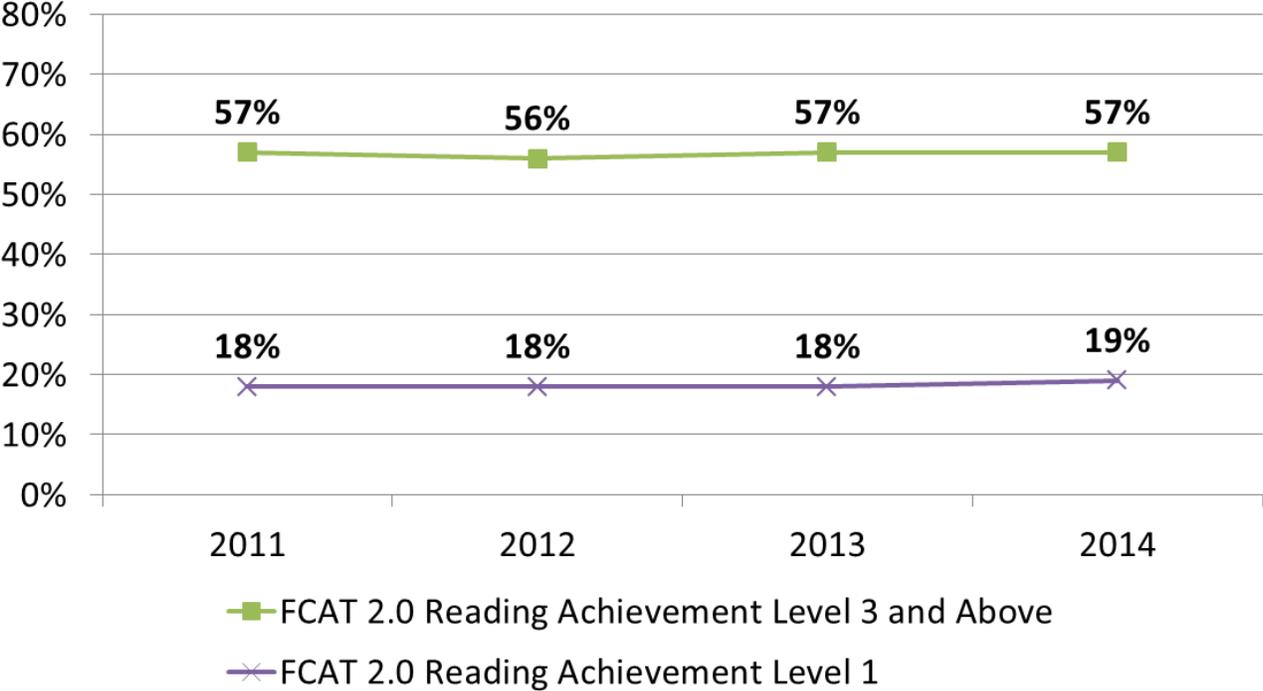
<sup>5</sup> Requirements relating to district reading plans are found in s. 1011.62(9), F.S.

<sup>6</sup> Section 1001.215, F.S.

decreased, including for students in 3<sup>rd</sup> grade. The rate of 3<sup>rd</sup> grade students performing below grade level in reading has consistently eclipsed 40 percent over the past several years.<sup>7</sup>

## Student Performance on Statewide Assessments in Reading

### Grade 3 Reading Results



Although the law requires districts to implement interventions and supports for struggling readers, many teachers may not receive adequate training to implement effective strategies to improve the reading performance of many students, including those with conditions such as dyslexia.<sup>8</sup>

A 2015 study by the Office of Program Policy Analysis and Government Accountability (OPPAGA) identified a number of barriers to providing instruction and intervention to struggling readers, including findings that:

- Teacher preparation programs do not sufficiently focus on identifying and assisting struggling readers;
- Professional development may not provide the information teachers need to address student reading deficiencies;
- The reading endorsement process does not require that teachers demonstrate knowledge of basic aspects of reading such as phonological awareness; and
- Students do not always receive appropriate intervention programs to meet their individual needs.<sup>9</sup>

<sup>7</sup> See Florida Department of Education, *History of Reading Policy in Florida: hearing before the House K-12 Education Subcommittee* (Sept. 17, 2015.); The Nation’s Report Card, *2015 Reading State Snapshot Report: Florida Grade 4* (2015), available at <https://nces.ed.gov/nationsreportcard/subject/publications/stt2015/pdf/2016008FL4.pdf> (indicating growth in 4th grade reading scores by only 1 average scale score point since 2009); The Nation’s Report Card, *2015 Reading State Snapshot Report: Florida Grade 8* (2015), available at <https://nces.ed.gov/nationsreportcard/subject/publications/stt2015/pdf/2016008FL8.pdf> (indicating a decrease in 8<sup>th</sup> grade reading scores by 1 average scale score point since 2009).

<sup>8</sup> University of Florida, *Teacher Preparation & Struggling Readers: hearing before the House K-12 Education Subcommittee* (Sept. 17, 2015).

<sup>9</sup> See Office of Program Policy and Government Accountability, *OPPAGA Research on Programs and Strategies for K-12 Struggling Readers: hearing before the House K-12 Education Subcommittee* (Oct. 20, 2015). Other studies have shown that teacher knowledge of reading science is crucial to effective reading instruction. See e.g., National Council on Teacher Quality, *What Education Schools*

A significant portion of students who need specialized reading instruction and intervention include students who have poor phonological processing skills, including students with conditions such as dyslexia.<sup>10</sup> However, research shows that children who are likely to have difficulties learning to read, whether because of conditions like dyslexia or other reasons, can be identified as early as prekindergarten.<sup>11</sup> By 1<sup>st</sup> grade, differences between dyslexic and typical readers in reading scores and verbal IQ become evident, making early identification and intervention critical. Implementing effective reading programs as early as kindergarten or preschool can close the achievement gap.<sup>12</sup>

Research has uncovered reading instruction and intervention strategies that are proven to improve the reading performance of all students, including struggling readers. Such instruction is explicit and systematic (increasing difficulty over time at an appropriate pace), and incorporates multisensory techniques which simultaneously engage multiple senses at once, such as touch, hearing, and sight.<sup>13</sup>

## Reading Instruction and Intervention

### Present Situation

The law requires school districts to identify students with deficiencies in reading. For kindergarten through grade 3, students who exhibit a “substantial reading deficiency” based upon locally determined or statewide assessments or through teacher observations must be given intensive reading instruction immediately following the identification of the deficiency.<sup>14</sup> Each student who does not achieve a Level 3 or above on the statewide, standardized English Language Arts (ELA) assessment (administered in grades 3 through 10) 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>15</sup>

Within the first 30 days of the school year, each school must administer a statewide kindergarten screening to each kindergarten student in the school district.<sup>16</sup> The screening must provide objective data concerning each student’s readiness for kindergarten and progress in attaining the Voluntary Prekindergarten Education (VPK) Program performance standards.<sup>17</sup> The screener selected by the department is the Florida Kindergarten Readiness Screener-Work Sampling System.<sup>18</sup>

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*Aren't Teaching about Reading and What Elementary Teachers Aren't Learning* (June 2006), available at [http://www.nctq.org/nctq/images/nctq\\_reading\\_study\\_exec\\_summ.pdf](http://www.nctq.org/nctq/images/nctq_reading_study_exec_summ.pdf); Cunningham & Ryan O'Donnell, *Teacher Knowledge in Early Literacy* (April 2015), at 450, available at [http://www.researchgate.net/publication/275581846\\_Teachers\\_Knowledge\\_about\\_Beginning\\_Reading\\_Development\\_and\\_Instruction](http://www.researchgate.net/publication/275581846_Teachers_Knowledge_about_Beginning_Reading_Development_and_Instruction)

<sup>10</sup> Dyslexia is a term used to refer to a specific type of learning disability that is neurological in origin and is characterized by difficulties with accurate and fluent word recognition and by poor spelling and decoding abilities. It is caused by a deficit in the phonological component of language that is unexpected in relation to other cognitive abilities and the provision of effective classroom instruction. See Florida Center for Reading Research, Technical Report No. 8, *Dyslexia: A Brief for Educators, Parents, and Legislators in Florida* (2007), available at [http://www.fcrr.org/TechnicalReports/Dyslexia\\_Technical\\_Assistance\\_Paper-Final.pdf](http://www.fcrr.org/TechnicalReports/Dyslexia_Technical_Assistance_Paper-Final.pdf).

<sup>11</sup> See Florida Center for Reading Research, Technical Report No. 8, *Dyslexia: A Brief for Educators, Parents, and Legislators in Florida* (2007), at 3 available at [http://www.fcrr.org/TechnicalReports/Dyslexia\\_Technical\\_Assistance\\_Paper-Final.pdf](http://www.fcrr.org/TechnicalReports/Dyslexia_Technical_Assistance_Paper-Final.pdf). See also Nemours BrightStart!, *Happy Readers, Healthy Kids: Nemours BrightStart! Research and Tools for a Path to Reading Success*.

<sup>12</sup> See Sally Shaywitz et al., *Achievement Gap in Reading Is Present as Early as First Grade and Persists through Adolescence*, 167 *J. Pediatrics* 1121, 1124-25 (2015).

<sup>13</sup> University of Florida Literacy Initiative, *Teacher Preparation and Struggling Readers; hearing before the House K-12 Education Subcommittee* (Sept. 17, 2015).

<sup>14</sup> Section 1008.25(5)(a), F.S. Students in kindergarten through 2<sup>nd</sup> grade do not participate in statewide, standardized assessments.

<sup>15</sup> Section 1008.25(4)(a).

<sup>16</sup> Section 1002.69, F.S.

<sup>17</sup> *Id.*; s. 1002.67(1), F.S.

<sup>18</sup> Florida Department of Education, *PMRN for Public Schools*, <http://www.fldoe.org/academics/standards/just-read-fl/fair/public-school.stml> (last visited Nov. 9, 2015).

Students who do not meet school district or state requirements for satisfactory performance in ELA and mathematics must be covered by a federally required plan such as an individual education plan (IEP), a schoolwide system of progress monitoring, or an individualized progress monitoring plan.<sup>19</sup>

District school boards must prioritize allocation of remedial and supplemental instruction resources first to students who are deficient in reading by the end of grade 3 and then to students who fail to meet performance levels required for promotion consistent with the district's student progression plan.<sup>20</sup>

School districts have a variety of intervention options available to help students improve their academic performance, from instructional materials to intervention systems that allow teachers and schools monitor the progress of students and determine appropriate supports. The law requires districts to develop and implement a multi-tiered system of supports (MTSS), which utilizes a problem-solving process to identify and support student needs based upon available data, including attendance, behavior and discipline, statewide assessment, and progress monitoring data.<sup>21</sup> The process must include parent involvement, student observation, review of data, vision and hearing screening to rule out sensory deficits, and evidence-based interventions implemented in the general education environment.<sup>22</sup>

MTSS consists of three tiers, with each tier providing increasingly intensive instruction and support depending on a student's needs and response to the interventions provided. MTSS involves monitoring screening and early warning data to identify students at risk before they fail.<sup>23</sup> At tier 1, students receive instruction in the general classroom setting, using core curriculum materials.<sup>24</sup> If students do not make adequate progress based on the instruction, they are provided instruction in smaller groups using supplemental intervention materials targeted to their identified areas of deficiency. Students who do not respond sufficiently to tier 2 instruction are provided intensive interventions in small group and one-to-one instructional settings in tier 3. Tier 3 students who continue to struggle may be identified for an evaluation to determine eligibility for exceptional student education.<sup>25</sup>

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<sup>19</sup> Section 1008.25(4)(b), F.S.

<sup>20</sup> Section 1008.25(3), F.S.

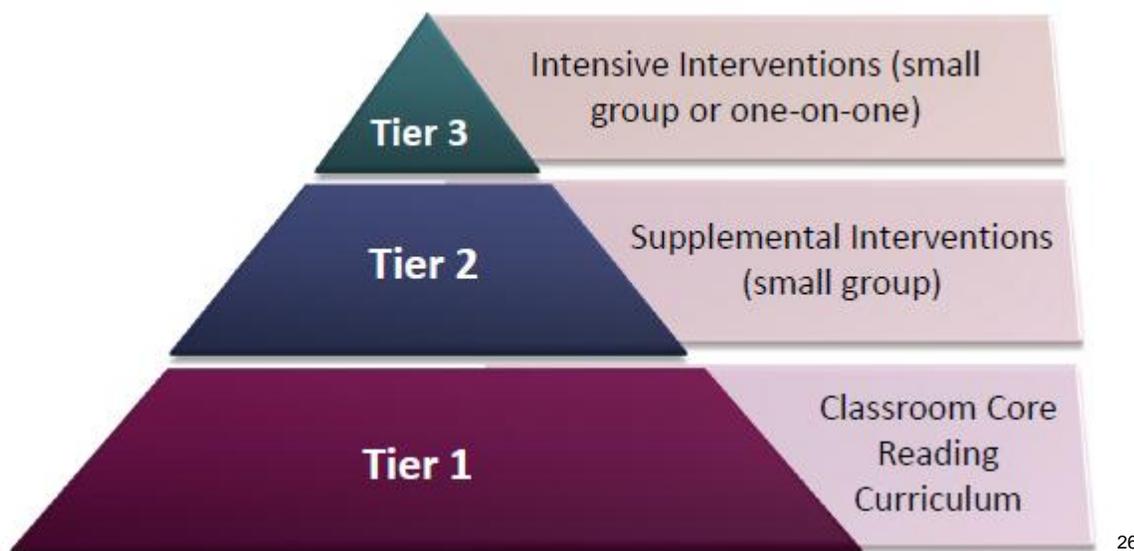
<sup>21</sup> See Rules 6A-6.0331(1) and 6A-1.099811(2)(r), F.A.C.

<sup>22</sup> Rule 6A-6.0331(a), F.S.

<sup>23</sup> See University of South Florida Institute for School Reform, *Multi-tiered Systems of Support (MTSS): Evidence-Based Model to Improve the Performance of ALL Students, Including Those with Disabilities: hearing before the House K-12 Education Subcommittee* (Oct. 7, 2015).

<sup>24</sup> See Office of Program Policy and Government Accountability, *OPPAGA Research on Programs and Strategies for K-12 Struggling Readers: hearing before the House K-12 Education Subcommittee* (Oct. 20, 2015). Tier 1 instruction is intended for 100% of students in the general classroom setting. Tier 2 is intended for approximately 20% of students, and tier 3 provides the most intensive interventions to approximately 5% of students.

<sup>25</sup> See *id.* The department has aligned the criteria for exceptional education eligibility with the MTSS to increase access to instruction and supports in a timely and efficient way. See rules 6A-6.0331 and 6A-6.03018, F.A.C. See also University of South Florida Institute for School Reform, *Multi-tiered Systems of Support (MTSS): Evidence-Based Model to Improve the Performance of ALL Students, Including Those with Disabilities: hearing before the House K-12 Education Subcommittee* (Oct. 7, 2015).



Teachers typically administer interventions; however, at some schools, districts provide other staff, such as interventionists, to assist teachers in delivering the interventions. The timeline for administering interventions may vary by school level. OPPAGA's 2015 study indicates that elementary schools often provide interventions during a dedicated time in the school day, whereas middle and high schools often provide interventions during intensive reading classes.<sup>27</sup>

A school district has discretion to retain a student at any grade level if, after implementing a progress monitoring plan for a student identified as having an academic deficiency, subsequent evaluations of the student indicate that the deficiency has not been remediated. Retention is mandatory for 3rd graders who score at Level 1 on the statewide, standardized ELA assessment, unless the student meets a good cause exemption.<sup>28</sup> Good cause exemptions exist for a student who:

- Is limited English proficient and has had less than two years of instruction in an English for Speakers of Other Languages program.
- Has a disability for which the IEP indicates that participation in the statewide assessment program is not appropriate.
- Demonstrates an acceptable level of performance on an alternative standardized reading or ELA assessment approved by the state board.
- Demonstrates, through a student portfolio, that he or she is performing at least at Level 2 on the statewide, standardized ELA assessment.
- Has a disability, takes the statewide, standardized ELA assessment, and has an IEP or a Section 504 plan indicating that he or she has received intensive remediation in reading and ELA for more than two years but still demonstrates a deficiency and was previously retained in kindergarten, 1st grade, 2nd grade, or 3rd grade.
- Has received intensive remediation in reading and ELA for two or more years but still demonstrates a deficiency and who was previously retained in kindergarten, 1st grade, 2nd grade, or 3rd grade for a total of two years. Intensive reading instruction provided to a student so promoted must include an altered instructional day that includes specialized diagnostic information and specific reading strategies for the student.<sup>29</sup>

A student who is retained in 3rd grade must be provided a teacher rated "highly effective" and intensive interventions in reading to remedy the student's specific reading deficiency, as identified by a valid and reliable diagnostic assessment. This intensive intervention must include effective instructional

<sup>26</sup> Office of Program Policy and Government Accountability, *OPPAGA Research on Programs and Strategies for K-12 Struggling Readers: hearing before the House K-12 Education Subcommittee* (Oct. 20, 2015).

<sup>27</sup> *See id.*

<sup>28</sup> Section 1008.25(5)(a)-(b), F.S.

<sup>29</sup> Section 1008.25(6)(b), F.S.

strategies, participation in the school district's summer reading camp, and appropriate teaching methodologies necessary to assist the student in becoming a successful reader, able to read at or above grade level, and ready for promotion to the next grade.<sup>30</sup> Further, the school district must provide the student a minimum of 90 minutes of daily, uninterrupted, scientifically research-based reading instruction which includes phonemic awareness, phonics, fluency, vocabulary, and comprehension and other strategies prescribed by the school district, which may include, but are not limited to:

- Integration of science and social studies content within the 90-minute block.
- Small group instruction.
- Reduced teacher-student ratios.
- More frequent progress monitoring.
- Tutoring or mentoring.
- Transition classes containing 3rd and 4th grade students.
- Extended school day, week, or year.<sup>31</sup>

Districts must establish at each school, when applicable, an intensive acceleration class for retained 3rd grade students who subsequently score Level 1 on the statewide, standardized ELA assessment. The class must focus on increasing a child's reading and English Language Arts skill level at least two grade levels in one school year.<sup>32</sup>

The class must:

- Be provided to a student in grade 3 who scores Level 1 on the statewide, standardized English Language Arts assessment and who was retained in grade 3 the prior due to scoring Level 1;
- Have a reduced teacher-student ratio;
- Provide uninterrupted reading instruction for the majority of student contact time each day and incorporate opportunities to master the grade 4 academic standards in other core subject areas;
- Use a reading program that is scientifically research-based and has proven results in accelerating student reading achievement within the same school year; and
- Provide intensive language and vocabulary instruction using a scientifically research-based program, including use of a speech-language therapist.

Each district school board must annually report to the parent of each student, in a format determined by the board, the progress of the student toward achieving state and district expectations for proficiency in reading, writing, science, and mathematics. The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, district and state assessments, and other relevant information. The student's results on each statewide assessment test must be provided to the parent.<sup>33</sup>

The law requires school districts to hire reading coaches (also referred to as literacy coaches) for schools determined to have the greatest need. Reading coaches who are funded using the district's Research-Based Reading Instruction Allocation must be hired as a full-time coach.<sup>34</sup>

All schools utilizing reading coaches must implement the Just Read, Florida! reading/literacy coach model. The model requires that coaches support and provide initial and ongoing professional development to teachers in:

- Each of the major reading components,<sup>35</sup> as needed, based on an analysis of student performance data.

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<sup>30</sup> Section 1008.25(7)(b), F.S.

<sup>31</sup> *Id.*

<sup>32</sup> Section 1008.25(7)(b)5., F.S. This provision is obsolete, as the law now prohibits retaining a student more than once in third grade.

*See s.* 1008.25(6)(b)6., F.S.

<sup>33</sup> Section 1008.25(8)(a), F.S.

<sup>34</sup> Rule 6A-6.053(6)(e), F.A.C.

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- Administration and analysis of instructional assessments.
- Providing differentiated instruction and intensive intervention.

In addition, reading coaches must, among other things:

- Model effective instructional strategies for teachers.
- Train teachers in data analysis and using data to differentiate instruction.
- Provide daily support to classroom teachers.
- Work with teachers to ensure that research-based reading programs (comprehensive core reading programs, supplemental reading programs and comprehensive intervention reading programs) are implemented with fidelity.
- Help lead and support reading leadership teams at their school(s).
- Continue to increase their knowledge base in best practices in reading instruction, intervention, and instructional reading strategies.
- Work with all teachers in the school they serve, prioritizing their time to those teachers, activities, and roles that will have the greatest impact on student achievement, namely coaching and mentoring in classrooms.
- Work frequently with students in whole and small group instruction in the context of modeling and coaching in other teachers' classrooms.
- Spend limited time administering or coordinating assessments.<sup>36</sup>

Currently, an individual may be hired as a reading coach if he or she has a minimum of a bachelor's degree and advanced coursework or professional development in reading. The reading coach must be endorsed or K-12 certified in the area of reading; however, the law still allows individuals to be hired as a reading coach if they are working toward their reading certification or endorsement by completing a minimum of two reading endorsement competencies of 60 inservice hours each or six semester hours of college coursework in reading per year.

The Office of Early Learning is required to develop and adopt performance standards for students in the VPK Program.<sup>37</sup> The standards must address, among other things, 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. The Office must periodically review and revise the performance standards for the statewide kindergarten screening and align the standards to those established by the State Board of Education for student performance on statewide, standardized assessments.<sup>38</sup>

### Effect of Proposed Changes

#### *Intervention and Instruction*

The bill requires district school boards, when allocating remedial and supplemental instruction resources, to give the highest priority to students in kindergarten through grade 3 who have a substantial reading deficiency, instead of just those students in grade 3.

The bill requires that students in kindergarten through grade 3 who are identified as having a substantial reading deficiency be provided an individual progress monitoring plan, a federal plan (such as an individual education plan), or both if necessary, and eliminates the requirement that a student be covered by a schoolwide progress monitoring plan. The bill does not prohibit or otherwise preclude the use of a schoolwide plan; however, once a student is identified as having a substantial reading deficiency, instructional strategies and goals must be developed based on the individual student's needs. Such students must be provided intensive, explicit, systematic, and multisensory reading

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<sup>35</sup> The major components include phonemic awareness; phonics; vocabulary development; reading fluency, including oral reading skills; and reading comprehension Rule 6A-6.0331(6)(d)1., F.A.C.

<sup>36</sup> Rule 6A-6.053(6)(e), F.A.C.

<sup>37</sup> Section 1002.67(1)(a), F.S.

<sup>38</sup> Section 1002.67(1)(b), F.S.

interventions immediately following identification of the substantial deficiency. The State Board of Education must identify in rule guidelines for determining whether a student in kindergarten through grade 3 has a substantial reading deficiency.

The bill prohibits schools from waiting until a student receives a failing grade at the end of the grading period to identify the deficiency and initiate interventions. Consequently, schools should increase the use of predictive data to guide instructional strategies, encourage consistent evaluation of student progress in response to instruction in the general classroom setting, and provide more frequent communication with parents on the progress of their child.

The bill requires that the interventions school districts provide to students who are retained in 3<sup>rd</sup> grade include evidence-based, explicit, systematic, and multisensory instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension. Beginning July 1, 2018, retained 3<sup>rd</sup> grade students must be taught by a teacher who holds a reading certification or endorsement. This is in addition to the current requirement that the teacher be rated “highly effective.”

The bill expands the intensive acceleration course currently provided to retained 3<sup>rd</sup> graders to also include students who were previously retained in kindergarten, 1<sup>st</sup> grade, or 2<sup>nd</sup> grade. The intensive acceleration reading course must include:

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

The bill requires school districts to assist schools and teachers with implementing explicit, systematic, and multisensory reading instruction and intervention strategies for students promoted to 4<sup>th</sup> grade with a good cause exemption.

The bill also requires VPK providers to implement intensive, explicit, and systematic instruction for participants who exhibit a deficiency in emergent literacy skills, including oral communication, knowledge of print and letters, phonemic and phonological awareness, and vocabulary and comprehension development. The bill clarifies that the Office of Early Learning, rather than the State Board of Education, has rulemaking authority related to VPK pre- and post-assessments and adoption of VPK standards.

#### *Parental Notification*

The bill revises requirements for providing information to parents of a K-3 student with a substantial reading deficiency. Under the bill, if a K-3 student is identified with a substantial reading deficiency, the district must inform the parent of opportunities to observe effective instruction and intervention in the classroom and to receive literacy instruction from the school or through community adult literacy initiatives. The school must also provide the parent opportunities to receive strategies, including multisensory strategies, through a read at home plan to help the parent provide additional reading instruction at home.

Once a parent is notified that his or her child has a substantial reading deficiency, the school must update the parent of the student’s progress at least once every two weeks. The updates must be in writing and must explain any additional interventions or supports that will be used to accelerate the student’s progress if current strategies are not working.

The bill requires the department to develop a handbook that schools must provide to parents if their child is identified with a substantial reading deficiency. The handbook must be made available online and must include the following information:

- An overview of the requirements for interventions and supports that districts must provide to students who do not make adequate academic progress.
- An overview of the procedural requirements for initiating and conducting evaluations to determine eligibility for exceptional education. This must include an explanation that diagnosis of a medical condition, alone, is not sufficient to establish eligibility for exceptional education. However, a diagnosis may be used to document how the condition relates to the student's eligibility determination and may be disclosed in an eligible student's individualized 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 with learning.

## Teacher Preparation and Professional Development, Certification, and Endorsement

### Present Situation

#### *Certification and Endorsement*

In order for a person to serve as an educator in a traditional public school, charter school, virtual school, or other publicly operated school, the person must hold a certificate issued by the department.<sup>39</sup> Persons seeking employment at a public school as a school supervisor, school principal, teacher, library media specialist, school counselor, athletic coach, or in another instructional capacity must be certified.<sup>40</sup> The purpose of certification is to require school-based personnel to “possess the credentials, knowledge, and skills necessary to allow the opportunity for a high-quality education in the public schools.”<sup>41</sup>

The department issues three types of educator certificates: professional (Florida's highest type of full-time educator certification),<sup>42</sup> temporary,<sup>43</sup> and athletic coaching.<sup>44</sup> The professional certificate is valid for five years and is renewable.<sup>45</sup> The temporary certificate is valid for three years and is nonrenewable.

An applicant seeking a professional certificate must:

- Meet the basic eligibility requirements for certification;<sup>46</sup>
- Demonstrate mastery of general knowledge;<sup>47</sup>

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<sup>39</sup> Sections 1012.55(1) and 1002.33(12)(f), F.S.

<sup>40</sup> Sections 1002.33(12)(f) (charter school teachers) and 1012.55(1), F.S. District school boards and charter school governing boards are authorized to hire non-certificated individuals who possess expertise in a given field to serve in an instructional capacity. Rule 6A-1.0502, F.A.C.; ss. 1002.33(12)(f) and 1012.55(1)(c), F.S. Occupational therapists, physical therapists, audiologists, and speech therapists are not required to be certified educators. Rule 6A-1.0502(10) and (11), F.A.C.

<sup>41</sup> Section 1012.54, F.S.; *see* rule 6A-4.001(1), F.A.C.

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

<sup>43</sup> Rule 6A-4.004(1)(a)2., F.A.C.; rule 6A-4.004(1)(a), F.A.C. The department also issues a nonrenewable temporary certificate, which is valid for 2 years, in the area of speech-language impairment. Sections 1012.56(7)(c) and 1012.54, F.S.; rule 6A-4.001(1), F.A.C.

<sup>44</sup> Section 1012.55(2), F.S.

<sup>45</sup> Section 1012.56(7)(a), F.S.; *see* rule 6A-4.0051(3)(c), F.A.C. (validity period is expressed as 5 years from July 1 of the school fiscal year). The department also issues a nonrenewable 2-year temporary certificate and a nonrenewable 5-year professional certificate that allows an applicant with a bachelor's degree in the area of speech-language impairment to complete a master's degree in speech-language impairment. Section 1012.56(7)(c), F.S.; rule 6A-4.004(3), F.A.C.

<sup>46</sup> Section 1012.56(2)(a)-(f), F.S.

<sup>47</sup> Section 1012.56(2)(g) and (3), F.S.; Florida Department of Education, *General Knowledge*,

[http://www.fldoe.org/edcert/mast\\_gen.asp](http://www.fldoe.org/edcert/mast_gen.asp) (last visited Nov. 8, 2015).

- Demonstrate mastery of subject area knowledge;<sup>48</sup> and
- Demonstrate mastery of professional preparation and education competence.<sup>49</sup>

Certification reciprocity is granted to educators who hold a valid professional standard teaching certificate for a subject area issued by another state or the NBPTS.<sup>50</sup> These individuals are deemed to have met the requirements for Florida professional certification, including mastery of general knowledge, subject area knowledge, and professional preparation and education competence.<sup>51</sup>

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

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

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

- A master’s or higher degree with a graduate major in reading; or
- A bachelor’s or higher degree with 30 semester hours in reading to include the following areas:
  - Six semester hours in foundations of reading instruction to include the elementary and secondary levels.
  - Six semester hours in diagnosis of reading disabilities and techniques of corrective or remedial reading.
  - Three semester hours in educational measurement.
  - Three semester hours in literature for children or adolescents.
  - Three semester hours in methods of teaching language arts at the elementary or secondary level.
  - Three semester hours in administration and interpretation of instructional assessments with instructional strategies and materials based upon scientifically based reading research for the prevention and remediation of reading difficulties.
  - Three semester hours in a supervised reading practicum to obtain practical experience in increasing the reading performance of a student(s) with the prescription and utilization of appropriate strategies and materials based upon scientifically based reading research to address the prevention, identification, and intervention of reading difficulties.<sup>52</sup>

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

- Six semester hours in understanding reading as a process of student engagement in both fluent decoding of words and construction of meaning;

<sup>48</sup> Section 1012.56(2)(h) and (5), F.S.

<sup>49</sup> Section 1012.56(2)(i) and (6), F.S.; Florida Department of Education, *Professional Preparation and Education Competence*, [http://www.fldoe.org/edcert/mast\\_prof.asp](http://www.fldoe.org/edcert/mast_prof.asp) (last visited June 26, 2014) [hereinafter *Professional Preparation and Education Competence*].

<sup>50</sup> Section 1012.56(5)(e)-(f), F.S.; see rules 6A-4.002(1)(i)-(j) and 6A-4.003(2), F.A.C. (flush-left provisions following paragraph (2)(e)); Florida Department of Education, *Reciprocity for Out-of-State Teachers and Administrators*, <http://www.fldoe.org/edcert/level1.asp> (last visited Nov. 6, 2015).

<sup>51</sup> Section 1012.56(3)(c)-(d), (5)(e)-(f), and (6)(c)-(d), F.S.; rule 6A-4.002(1)(i)1. and (j), F.A.C.

<sup>52</sup> Rule 6A-4.0291, F.A.C.

- Three semester hours in the administration and interpretation of instructional assessments to include screening, diagnosis, and progress monitoring with purposes of prevention, identification, and remediation of reading difficulties;
- Three semester hours in understanding how to prescribe, differentiate instruction, and utilize appropriate strategies and materials based upon scientifically based reading research in order to address the prevention, identification, and remediation of reading difficulties in order to increase reading performance; and,
- Three semester hours in a supervised practicum to obtain practical experience in increasing the reading performance of a student(s) with the prescription and utilization of appropriate strategies and materials based upon scientifically based reading research to address the prevention, identification, and remediation of reading difficulties.<sup>53</sup>

To renew their professional certificate, an educator must submit an application, pay a fee, and earn at least six college credits or 120 inservice points.<sup>54</sup> At least three college credits or 60 inservice points must be earned in each subject area for which renewal is sought.<sup>55</sup> In addition to credits or inservice points required in the subject area, credits or inservice points may be earned in courses in clinical educator training, literacy and computational skills acquisition, exceptional student education, child development, drug abuse, child abuse, limited English proficiency, dropout prevention, and other topics.<sup>56</sup>

Any professional certificate holder must complete at least one college credit, or 20 inservice points, or a combination thereof, in the instruction of students with disabilities prior to renewing their certificate.<sup>57</sup> The law allows a professional certificate holder to use college credits or inservice points earned through training in teaching students of limited English proficiency or students with disabilities and training in teaching reading in excess of six semester hours during one certificate-validity period toward renewal of the professional certificate during the subsequent validity periods.<sup>58</sup>

Certification in subject areas may also be renewed by earning a passing score on the corresponding Florida-developed subject area test or standardized examination specified in state board rule.<sup>59</sup>

### *Teacher Preparation Programs*

Teacher preparation programs are state-approved programs offered by postsecondary institutions and public school districts through which candidates for an educator certificate can, attain an educator certificate.<sup>60</sup>

Two types of teacher preparation programs are initial teacher preparation programs and educator preparation institutes. Initial teacher preparation programs are “traditional” teacher preparation programs that require candidates to demonstrate mastery of subject area knowledge in one or more specific subject areas(s), mastery of general knowledge, and mastery of professional preparation and education competence. Such programs result in qualification for a professional educator certificate. Educator preparation institutes are “alternative” certification programs offered by postsecondary institutions for baccalaureate degree holders. These programs provide professional preparation for

<sup>53</sup> Rule 6A-4.0292, F.A.C.

<sup>54</sup> Section 1012.585(3)(a), F.S. College credits must be earned at an accredited or state board-approved institution. Inservice points must be earned through participation in state board-approved school district inservice activities. Rule 6A-4.0051(1)(a), F.A.C.; see rule 6A-4.003(1) and (2), F.A.C. (list of approved accrediting agencies and guidelines for nonaccredited approved institutions).

<sup>55</sup> Section 1012.585(3)(a), F.S.

<sup>56</sup> Section 1012.585(3)(a), F.S.

<sup>57</sup> Section 1012.585(3)(d), F.S.; rule 6A-4.0051, F.A.C.

<sup>58</sup> Section 1012.585(3)(d)1., F.S.

<sup>59</sup> Section 1012.585(3)(b), F.S., *as amended* by s. 5, ch. 2014-32, L.O.F. For the purposes of renewing a professional certificate, passage of a subject area examination is equivalent to three semester hours of college credit. Rule 6A-4.0051(1)(b), F.A.C.

<sup>60</sup> See Florida Department of Education, *Educator Preparation*, <http://www.fldoe.org/profdev/approval.asp> (last visited Nov. 9, 2015).

See also rule 6A-5.066, F.A.C.; ss. 1004.04(3)(a) and 1004.85(1), F.S.

career-changers and recent college graduates who do not already possess a professional educator certificate.

The state board is charged with maintaining a system for development and approval of initial teacher preparation programs.<sup>61</sup> The department is responsible for approving programs based on evidence of a program's capacity to meet the requirements for continued program approval established in law and state board rule.<sup>62</sup> The requirements for continued program approval are:

- Documentation that each candidate has met the admission requirements,<sup>63</sup>
- Documentation that the program and each program completer have met the curriculum requirements;<sup>64</sup> and
- Evidence of performance in other specified areas.<sup>65</sup>

The department must approve an educator preparation institute certification program if the institute provides evidence of the institute's capacity to implement a competency-based program that includes each of the following:

- The areas addressed by the uniform core curricula for initial teacher preparation programs,<sup>66</sup>
- An educational plan for each participant to meet certification requirements and demonstrate his or her ability to teach the subject area for which the participant is seeking certification, which is based on an assessment of his or her competency in the areas addressed by the uniform core curricula;
- Field experiences appropriate to the certification subject area specified in the educational plan with a diverse population of students in a variety of settings under the supervision of qualified educators; and
- A certification ombudsman to facilitate the process and procedures required for participants who complete the program to meet any requirements related to the background screening requirements.<sup>67</sup>

Continued approval of educator preparation institutes is determined by the Commissioner of Education based on a periodic review of these areas:

- Documentation from the program that each program completer has met the requirements established in law;
- Evidence of performance in each other specified areas.<sup>68</sup>

The uniform core curricula for teacher preparation programs must include content in scientifically based reading instruction contained in the reading endorsement competencies adopted by the State Board of Education.<sup>69</sup> The reading endorsement competencies include five major components:

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

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<sup>61</sup> Section 1004.04(1), F.S.

<sup>62</sup> See s. 1004.04(3)(a), F.S.; 6A-5.066, F.A.C.

<sup>63</sup> Section 1004.04(4)(a)1., F.S.

<sup>64</sup> Section 1004.04(4)(a)2., F.S.

<sup>65</sup> Section 1004.04(4)(a)3., F.S.

<sup>66</sup> See ss. 1004.85(3)(a)1. and 1004.04(2)(b), F.S.

<sup>67</sup> Section 1004.85(3)(a)4., F.S.

<sup>68</sup> Section 1004.85(4)(b), F.S.

<sup>69</sup> See ss. 1004.04(2)(b)3. and 1004.85(3)(a)c., F.S. See also rules 6A-4.0163 and 6A-5.066(1)(hh)4., F.A.C.

Students at an initial teacher preparation program who are a candidate in prekindergarten-primary (age 3-Grade 3), elementary (K-6), reading (K-12) and exceptional student education (K-12) certification programs must be prepared in reading endorsement competencies 1 through 4.<sup>70</sup> Candidates in educator preparation institutes and district professional development certification programs must be prepared in only competencies 1 and 2.<sup>71</sup>

### *Professional Development*

Florida law requires a number of entities, including the department, public postsecondary educational institutions, public school districts, public schools, state education foundations, consortia, and professional organizations, to work collaboratively to develop a coordinated system of professional development. The purpose of the system is to increase student achievement, enhance classroom instructional strategies that promote rigor and relevance throughout the curriculum, and prepare students for continuing education and the workforce.<sup>72</sup>

Each school district is required to develop a professional development system in consultation with teachers, teacher-educators of Florida College System institutions and state universities, business and community representatives, and local education foundations, consortia, and professional organizations.<sup>73</sup>

### Effect of Proposed Changes

#### *Certification and Endorsement*

Beginning January 1, 2018, candidates for a reading endorsement or certification in an area involving elementary reading must first demonstrate competence in:

- Explicit, systematic, and multisensory approaches to reading instruction;
- Identifying characteristics of conditions such as dyslexia and other causes of poor phonological processing; and
- Using predictive and other data to make instructional decisions.

The State Board of Education must identify in rule the certificates for which competence in these areas must be demonstrated during the certification process and establish a procedure by which out-of-state candidates can meet this requirement.

By July 1, 2017, and at least once every five years thereafter, the department must review specialization and coverage areas requirements in the elementary, reading, and exceptional student educational areas. At the conclusion of each review, the department must recommend to the State Board of Education changes to the specialization and coverage area requirements based upon any instructional or intervention strategies identified by the department that are proven to improve student reading performance.

Beginning January 1, 2018, candidates seeking to renew a certificate identified by the state board must complete a minimum of 2 college credit hours (equivalent to 40 inservice points or 40 hours) in the use of explicit, systematic, and multisensory approaches to reading instruction and intervention. The training must be provided by approved Florida teacher preparation programs or school district professional development programs.

The bill limits the training that may satisfy certification renewal requirements for teachers who hold a certificate in an area that involves reading instruction or intervention for K-6 students. However, the bill specifies that scientifically researched, knowledge-based reading literacy which includes explicit,

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<sup>70</sup> Rule 6A-5.066(1)(hh)4.a., F.A.C.

<sup>71</sup> Rule 6A-5.066(1)(hh)4.b., F.A.C.

<sup>72</sup> Section 1012.98(1), F.S.

<sup>73</sup> Section 1012.98(4)(b), F.S.

systematic, and multisensory approaches to reading instruction and intervention may be applied to any specialization area.

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

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

### *Teacher Preparation and Professional Development*

The bill requires school district professional development systems to provide all elementary instructional personnel without a reading endorsement training sufficient to earn the endorsement before renewal or attainment of their professional certificate. To reduce duplication, the bill expressly authorizes the department to recommend consolidation of endorsement areas and requirements to the State Board of Education.

In addition, each school district must provide professional development to classroom teachers, reading coaches, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting that are proven to improve reading performance for all students; and using predictive data to make instructional decisions based on individual student needs. The training must help teachers to integrate phonemic awareness; phonics, word study, and spelling; reading fluency; vocabulary, including academic vocabulary; and text comprehension strategies into an explicit, systematic, and multisensory approach to reading instruction and intervention.

The bill requires the uniform core curricula used by teacher preparation programs and educator preparation institutes to include explicit, systematic, and multisensory approaches to reading instruction and intervention that are proven to improve reading performance for all students. To qualify for continued approval, programs must provide training in explicit, systematic, and multisensory instructional approaches; identifying characteristics of conditions such as dyslexia; and using predictive and other data to make instructional decisions based on a student's needs. The training must occur both in coursework and in field experiences.

The bill requires the Just Read, Florida! Office to identify proven reading instruction and intervention strategies<sup>74</sup> and provide training to teachers, reading coaches, and principals on explicit, systematic, and multisensory reading instruction and integration of content-rich, nonfiction texts in other core subject areas. The Office must also help initial teacher preparation programs and educator preparation institutes to integrate explicit, systematic, and multisensory reading instruction and intervention strategies into their curricula.

The bill requires emergent literacy training courses for prekindergarten teachers, used in part to satisfy training requirements for licensed and family child care providers, to address early identification of and intervention for struggling readers.

## **Instructional Materials**

### Present Situation

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<sup>74</sup> The bill defines "reading interventions" as evidence-based strategies frequently used to remediate reading deficiencies and include individual instruction, tutoring, or mentoring that target specific reading skills and abilities.

By July 1 each year and before instructional materials funds may be released to the school district, the district's superintendent must certify to the commissioner that the district school board has approved a comprehensive staff development plan that supports fidelity of implementation of instructional materials programs. The report must verify that training was provided and that the materials are being implemented as designed.<sup>75</sup>

### Effect of Proposed Changes

The bill requires the Just Read, Florida! Office to post on its website a list of K-5 core reading materials and supplemental intervention reading materials that meet, at a minimum, all of the following criteria:

- Use of an explicit, systematic, sequential, and multisensory approach to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension.
- Incorporation of cooperative learning strategies.
- Incorporation of one-to-one or small group instructional strategies.
- Incorporation of decodable or phonetic text instructional strategies.
- Provision of teacher training on well-specified teaching methods and instructional processes designed to implement the materials.

The purpose of the list is to provide districts access to quality instructional materials that incorporate the instructional strategies in which teachers and teacher candidates must receive training as required by the bill.

Under the bill, each district school superintendent must certify to the commissioner, prior to the release of instructional material funds, that the district's K-5 core and supplemental intervention reading materials are listed on the Just Read, Florida! Office website. The certification requirement applies to core reading materials starting with the next English language arts instructional materials adoption cycle, which will occur in 2019.<sup>76</sup>

As part of the certification, the district school superintendent must report the number and percentage of K-5 instructional personnel who have received training on the use of the core and supplemental intervention reading materials. The superintendent must also explain how and when the remaining K-5 instructional personnel will receive the training, including those newly hired by the district.

## **Early Warning Systems**

### Present Situation

Florida law requires each school that includes any of grades 6, 7, or 8 to implement an early warning system to identify students who are at risk of not graduating from high school. Early warning systems are used to monitor middle grades students using attendance, behavior, and academic performance indicators shown by research to be reliable indicators of students at risk of dropping out.<sup>77</sup> Once a student is identified as being off track, research-based intervention techniques are initiated to help the student get back on track to graduate on time.<sup>78</sup>

In Florida, the following indicators must be used to monitor middle grades students:

- Attendance below 90 percent.
- Course failure in English language arts or mathematic.

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<sup>75</sup> Section 1011.67(2), F.S.

<sup>76</sup> Florida Department of Education, *Florida Instructional Materials Adoption Schedule for Adoption Years 2015-2016 through 2019-2020* (Feb. 3, 2015), available at <http://www.fldoe.org/core/fileparse.php/5574/urlt/AdoptionCycle.pdf>.

<sup>77</sup> Section 1001.42(18)(b), F.S.

<sup>78</sup> Robert Balfanz, *Putting Middle Grades Students on the Graduation Path: A Policy and Practice Brief*, National Middle School Association, June 2009, at 10-11; Diplomas Now, *Diplomas Now Benefits Students, their Schools, and Communities: hearing before the House Education K-12 Subcommittee* (Nov. 5, 2013).

- One or more in-school or out-of-school suspensions.
- Scoring a Level 1 score on the statewide, standardized reading or mathematics assessments.<sup>79</sup>

When a student exhibits two or more early warning indicators, the school must convene the school's child study team,<sup>80</sup> or a similar team established to implement the school's early warning system, to determine appropriate intervention strategies for the student.<sup>81</sup> The team may be the student's IEP team, if applicable, or any other team the school establishes for the purpose of academic intervention. The school must provide the student's parent with at least 10 days' written notice of the meeting. The notice must indicate the meeting's purpose, time, and location, and the opportunity for the parent to participate in the meeting.

Each school that includes any of grades 6, 7, or 8 must include annually in its school improvement plan the following information and data on the school's early warning system:

- A list of the early warning indicators used in the system.
- The number of students identified by the system as exhibiting two or more early warning indicators.
- The number of students by grade level that exhibit each indicator.
- A description of all intervention strategies employed by the school to improve the academic performance of students identified by the early warning system.

Students identified by a school's early warning system are eligible to receive services funded through the dropout prevention and academic intervention programs, subject to appropriation in the General Appropriations Act.<sup>82</sup>

### Effect of Proposed Changes

The bill revises requirements related to early warning systems by extending coverage to include students in kindergarten through grade 5 and by clarifying that a school-based team must monitor early warning system data. The bill specifies that a school psychologist may be a part of the team. The bill includes a substantial reading deficiency as an early warning indicator for students in kindergarten through grade 3 and clarifies that course failure constitutes an indicator if it occurs during any grading period.

To allow for more efficient use of time and resources, the bill requires the team to convene and determine appropriate intervention strategies for a student exhibiting two or more indicators only if the student is not already being served by an intervention program. The bill eliminates the 10-day parental notice requirement but requires that parents be consulted in the development of any intervention strategies.

The bill requires that data and information relating to the exhibited indicators must be used to inform any intervention strategies provided to a student identified by the early warning system.

## **Reading Performance Reporting**

### Present Situation

#### *School Districts*

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<sup>79</sup> Districts may prescribe additional early warning indicators for schools to use. Section 1001.42(18)(b)1., F.S.

<sup>80</sup> School child study teams are convened by school principals to help enforce school attendance requirements pursuant to s. 1003.26, F.S.

<sup>81</sup> Section 1001.42(18)(b)2., F.S.

<sup>82</sup> Section 1003.53(1)(c)4., F.S.

Each district school board must annually report to the parent of each student, in a format determined by the board, the progress of the student toward achieving state and district expectations for proficiency in reading, writing, science, and mathematics. The evaluation of each student's progress must be based upon the student's classroom work, observations, tests, district and state assessments, and other relevant information. The student's results on each statewide assessment test must be provided to the parent.<sup>83</sup>

Each district school board must annually publish on the district website and in the local newspaper the following information on the prior school year:

- The provisions relating to public school student progression and the district school board's policies and procedures on student retention and promotion.
- By grade, the number and percentage of all students in grades 3 through 10 performing at Levels 1 and 2 on the reading portion of the FCAT.<sup>84</sup>
- By grade, the number and percentage of all students retained in grades 3 through 10.
- Information on the total number of students who were promoted for good cause, by each category of good cause.
- Any revisions to the district school board's policy on student retention and promotion from the prior year.<sup>85</sup>

### *Commissioner of Education*

The commissioner is responsible for implementing and maintaining a system of intensive school improvement and stringent education accountability.<sup>86</sup> Part of the commissioner's responsibilities is to report to the Legislature and recommend changes in state policy necessary to foster school improvement and education accountability. Currently, the report must include:

- For each school district:
  - The percentage of students, by school and grade level, demonstrating learning growth in English language arts and mathematics.
  - The percentage of students, by school and grade level, in both the highest and lowest quartiles demonstrating learning growth in English language arts and mathematics.
- Intervention and support strategies used by school boards whose students in both the highest and lowest quartiles exceed the statewide average learning growth for students in those quartiles.
- Intervention and support strategies used by school boards whose schools provide educational services to youth in Department of Juvenile Justice programs that demonstrate learning growth in English Language Arts and mathematics that exceeds the statewide average learning growth for students in those subjects.

### Effect of Proposed Changes

The bill specifies that the commissioner's report and recommendations must be provided to the state board as well as the Legislature on an annual basis. The bill requires the report to include, in addition to information currently required, the reading performance information each district must annually publish on its website and in the local newspaper. The bill also requires the commissioner's annual report to include, based upon a review of each district's reading plan, intervention and support strategies that were effective in improving the reading performance of students who are identified as having a substantial reading deficiency.

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<sup>83</sup> Section 1008.25(8)(a), F.S.

<sup>84</sup> As of the 2014-2015 school year, the reading portion of the FCAT has been replaced by the statewide, standardized ELA assessment (Florida Standards Assessment).

<sup>85</sup> Section 1008.25(9)(b), F.S.

<sup>86</sup> Section 1008.345(1), F.S.

## B. SECTION DIRECTORY:

Section 1. Amends s. 1001.215, F.S., revising the duties of the Just Read, Florida! Office.

Section 2. Amends s. 1001.42, F.S., requiring certain schools to include specific information in the school's improvement plan; requiring certain schools to implement an early warning system for students who meet specific criteria; requiring certain school personnel to monitor data from the early warning system and perform certain duties when a student exhibits specified indicators.

Section 3. Amends s. 1002.20, F.S., revising requirements for notifying a parent of a student with a substantial reading deficiency.

Section 4. Amends s. 1002.59, F.S., revising the emergent literacy and performance standards training course requirements to include specific reading instruction.

Section 5. Amends s. 1002.67, F.S., requiring the Office of Early Learning to approve specific Voluntary Prekindergarten Education Program assessments and establish requirements for individuals administering the assessments; requiring certain prekindergarten students to receive specific reading instruction.

Section 6. Amends s. 1002.69, F.S., conforming provisions; requiring data from the statewide kindergarten screening to be used to identify certain students.

Section 7. Amends s. 1004.04, F.S., revising core curricula requirements for certain teacher preparation programs to include certain reading instruction and interventions.

Section 8. Amends s. 1004.85, F.S., requiring certain educator preparation institutes to provide evidence of specified reading instruction as a condition of program approval.

Section 9. Amends s. 1008.25, F.S., requiring district school boards to allocate certain instruction resources to certain students deficient in reading; revising criteria and requiring the State Board of Education to identify guidelines for determining whether certain students have a substantial deficiency in reading; revising the required plans for certain students deficient in reading; revising the parental notification requirements for students with a substantial deficiency in reading; requiring a school to provide updates to parents of students who receive certain services; requiring the Department of Education to develop a handbook containing specific information for parents of students with a substantial reading deficiency; requiring schools to provide certain instruction to students who received a good cause exemption from retention; revising grounds for such good cause exemption; revising intervention requirements for certain retained students; revising provisions relating to the Intensive Acceleration Class for retained students in certain grades; revising student progress evaluation requirements.

Section 10. Amends s. 1008.345, F.S., revising reporting requirements of the Commissioner of Education relating to the state system of school improvement and education accountability.

Section 11. Amends s. 1011.67, F.S., revising the contents of a comprehensive staff development plan required for each school district; requiring certain information to be included in a certification provided to the commissioner from each district school superintendent.

Section 12. Creates s. 1012.567, F.S., requiring candidates for an educator certificate in certain areas to demonstrate competence in specified areas; providing that a teacher certification from another state does not meet competency requirements; requiring the state board to identify teacher certification areas in which candidates must demonstrate competence; requiring certain teacher preparation courses to provide specific instruction in order to receive approval; providing requirements for an endorsement in reading instruction; providing for review of specialization and coverage area requirements for certain education area certifications; providing for rulemaking.

Section 13. Amends s. 1012.585, F.S., revising requirements for renewal of professional teaching certificates.

Section 14. Amends s. 1012.586, F.S., authorizing the department to recommend consolidation of endorsement areas and requirements for endorsements for teacher certificate.

Section 15. Amends s. 1012.98, F.S., revising duties and requirements for implementation of the School Community Professional Development Act.

Section 16. Provides that the bill is effective upon becoming a law.

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

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

1. Revenues:

None.

2. Expenditures:

See FISCAL COMMENTS.

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

1. Revenues:

None.

2. Expenditures:

None.

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

None.

### **D. FISCAL COMMENTS:**

The Department of Education estimated a need for 2 FTE positions for the Just Read! Florida office to complete the additional workload required by the bill. The total cost for those 2 positions is estimated at \$294,848 in recurring general revenue. There is also estimated a need for OPS research assistants to assist with the development and implementation of additional professional development requirements in the bill. The OPS funding would be nonrecurring for the 2016-17 fiscal year and is estimated to be \$50,000.

## **III. COMMENTS**

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

1. Applicability of Municipality/County Mandates Provision:

None.

2. Other:

None.

**B. RULE-MAKING AUTHORITY:**

The bill clarifies that the Office of Early Learning, rather than the State Board of Education, has rulemaking authority related to VPK pre- and post-assessments and adoption of VPK standards. The bill also requires the state board to adopt rules concerning educator certification and reading endorsement training requirements.

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

None.

**IV. AMENDMENTS/ COMMITTEE SUBSTITUTE CHANGES**

On November 18, 2015, the K-12 Subcommittee reported the bill favorably as amended. The amendments:

- Clarify the duties of the Just Read, Florida! Office related to training and review of the Next Generation Sunshine State Standards for English language arts.
- Specify that supplemental materials identified by the Office on its website must be materials used for interventions.
- Specify that a school psychologist may be part of the team that monitors early warning system data.
- Clarify that the emergent literacy course for prekindergarten teachers must address early identification and intervention for students who struggle with emergent literacy skills.
- Require that parents be provided multisensory strategies they can use to help their child with reading as part of a read at home plan.
- Specify that the 90-minute reading block for retained 3<sup>rd</sup> grade students must integrate information texts in science and social studies.
- Restores language requiring 3<sup>rd</sup> grade students who are retained for the second time to receive uninterrupted reading instruction for the majority of student contact time each day and be provided instruction in other core subject areas using informational texts.
- Clarify that training in the use of predictive data also address the use of other types of data.

This analysis is drafted to the bill as amended and passed by the K-12 Subcommittee.