

Measures Affecting Education:

Impact of 2015 Legislation
on
PreK-12 Public School
Full-Time Equivalent (FTE) Enrollment
and
Capital Outlay (CO) Full-Time Equivalent (FTE) Enrollment

PreK-12 Education Impact Conference
July 21, 2015

Conference Report

Table of Contents

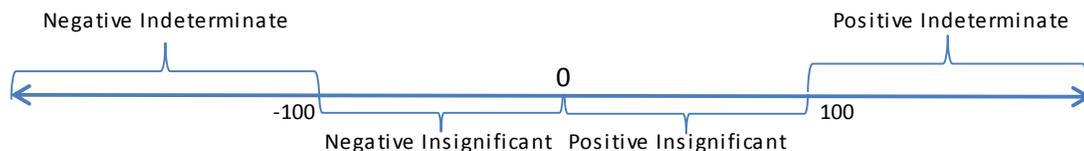
Introduction	1
Summary Table of Cumulative Impacts for FTE, Weighted FTE and CO FTE	2
Detailed Bill Discussion	3
Home School.....	3
CS/HB 7013, Enrolled, Adoption and Foster Care	
Mid-Year Promotion to Grade Four	6
CS/HB 7069, Enrolled, Education Accountability	
Opening Day of School	9
CS/HB 7069, Enrolled, Education Accountability	
Personal Learning Scholarships	11
SB 2500-A, Enrolled, General Appropriations Act	
SB 2502-A, Enrolled, Implementing the General Appropriations Act	
Progress Monitoring, Assessment, and Remediation	13
CS/HB 7069, Enrolled, Education Accountability	
Whole-Year Promotion to Grade Four	15
CS/HB 7069, Enrolled, Education Accountability	
Notes	17

Introduction

Three bills enacted during the 2015 Regular and Special Legislative Sessions contain provisions that may impact full-time equivalent (FTE) student enrollment for the Florida Education Finance Program (FEFP) or for capital outlay (CO) FTE planning. All references to FTE in the discussion apply to FEFP FTE, unless otherwise specified. All impacts are the cumulative effects. Cumulative effects means that the estimate for each fiscal year can be applied directly against the adopted forecast. The table below illustrates what is meant by fiscal year cumulative impacts, where FY references to prior years are inclusive of modifications to that specific cohort which reflect the natural passage of time.

Fiscal Year (FY) Cumulative Impacts				
	FY 1	FY 2	FY 3	FY 4
FTE Impact	FY 1 Annual Impact	FY 1 Annual Impact + FY 2 Annual Impact	FY 1 Annual Impact + FY 2 Annual Impact + FY 3 Annual Impact	FY 1 Annual Impact + FY 2 Annual Impact + FY 3 Annual Impact + FY 4 Annual Impact

Effects without specific numerical estimates are described as follows:



Wording	Meaning
Indeterminate (+/-)	The impact cannot be estimated as to level and direction, but the level is expected to be larger than or equal to +100 FTE or -100 FTE.
Positive Indeterminate	The impact cannot be estimated, but the level is expected to be positive and larger than or equal to +100 FTE.
Negative Indeterminate	The impact cannot be estimated, but the level is expected to be negative and larger than or equal to -100 FTE.
0 / Positive Indeterminate	The impact may be zero or it may be positive indeterminate.
0 / Negative Indeterminate	The impact may be zero or it may be negative indeterminate.
Insignificant (+/-)	The impact cannot be estimated as to direction, but the level is expected to be smaller than +100 FTE or -100 FTE.
Positive Insignificant	The impact is expected to be positive and the level is expected to be smaller than +100 FTE.
Negative Insignificant	The impact is expected to be negative and the level is expected to be smaller than -100 FTE.
0 / Positive Insignificant	The impact may be zero or it may be positive insignificant.
0 / Negative Insignificant	The impact may be zero or it may be negative insignificant.

Summary Table of Cumulative Impacts for FTE, Weighted FTE and CO FTE

FTE Impact					
	2015-16	2016-17	2017-18	2018-19	2019-20
Home School	Negative Insignificant				
Mid-Year Promotion to Grade-Four	0.00	0.00	0.00	0.00	0.00
Opening Day of School	0.00	0.00	0.00	0.00	0.00
Personal Learning Scholarships	Negative Indeterminate	0.00	0.00	0.00	0.00
Progress Monitoring, Assessment, and Remediation	0.00	0.00	0.00	0.00	0.00
Whole Year Promotion to Grade-Four	0.00	0.00	0.00	0.00	0.00
Weighted FTE Impact					
	2015-16	2016-17	2017-18	2018-19	2019-20
Home School	Negative Insignificant				
Mid-Year Promotion to Grade-Four	0 / Positive Insignificant				
Whole Year Promotion to Grade-Four	0.00	Insignificant (+/-)	Insignificant (+/-)	Insignificant (+/-)	Insignificant (+/-)
CO FTE Impact					
	2015-16	2016-17	2017-18	2018-19	2019-20
Home School	Negative Insignificant				
Mid-Year Promotion to Grade-Four	0.00	0.00	0.00	0.00	0.00
Opening Day of School	0.00	0.00	0.00	0.00	0.00
Personal Learning Scholarships	Negative Indeterminate	0.00	0.00	0.00	0.00
Progress Monitoring, Assessment, and Remediation	0.00	0.00	0.00	0.00	0.00
Whole Year Promotion to Grade-Four	0.00	0.00	0.00	0.00	0.00

Detailed Bill Discussion

Home School

CS/HB 7013, Enrolled, Adoption and Foster Care

Bill sections covered:

CS/HB 7013, Section 1, Lines 96-102; Section 3, Lines 237-260

Effective Date:

July, 1, 2015

1) Statement of current law and change:

a) Current Law:

Currently both Sections 39.0016(2) and 409.145(2), F.S. address foster children in “school.” Section 39.0016(2)(b)1.a., F.S. references an agreement between the Florida Department of Children and Families (DCF) and the district school boards or other local education entities. Section 409.145(2)(a)6., F.S. addresses the roles and responsibilities of caregivers, particularly in support of the child’s success.

Currently there is a DCF administrative rule that prohibits foster parents from homeschooling children in the foster care system to further promote visibility within the community (Section 65C-13.029(1)(n)9.). Currently this rule reads as follows:

9. Education. Licensed out-of-home caregivers shall work in partnership with the child’s case manager to address the child’s educational needs and to allow for the continuation of school attendance. To further promote visibility within the community, children in care may not be home schooled.

b) Change:

Overall, these sections of the bill require the Department of Children and Families to emphasize educational stability for foster children by prioritizing the best interest of the child and to limit disruption in their educational setting. Additionally, educational opportunities for children in foster care have been expanded to include home education as an appropriate educational setting through amending Sections 39.0016(2) and 409.145(2), F.S.

Section 1 amends Section 39.0016(2)(b)1.a. F.S. such that the agreement with DCF and district school boards or other local education entities ensures that foster children known to DCF are enrolled in a school or educational setting that meets the needs of the child. The child should remain in the school of origin when possible if it is in the best interest of the child. The overall goal is to have minimal disruption of education.

Section 3 amends Section 409.145(2)(a)6., F.S. to prioritize and specify how the caregiver should maintain education stability for the child. This provision allows the

child to remain in the school or educational setting that he or she was in prior to entry into out-of-home care, unless it is not in the best interest of the child. If the prior educational setting is not in the best interest of the child, the caregiver must work with the case manager, guardian ad litem, teachers and guidance counselors, and educational surrogate (if appointed) to determine the best education setting for the child. These settings may include a public school, a private school, virtual instruction, or a home education program.

2) Methodology:

a) Description of Data and Sources (Listing of sources):

In consultation with DCF, data are too limited to be included in the analysis.

b) Assumptions (Key decisions by the analyst regarding unknowns):

i) The majority of children in foster care are in the public school system.

ii) Removing the prohibition on home education for children in foster care will allow some foster children to exit the public school system in favor of the new opportunity for a home education program.

3) Analysis (Summary of major steps in producing the estimate):

In consultation with DCF, there are approximately 10,954 children in the out-of-home foster care program. Of those children, 66 children have been identified as being in a home education setting based on school-type. These children were identified as an exception to the prohibition on home education for a variety of reasons including a court mandate, medical exception, or alternative schooling option. However, these data could not be cross-referenced to other information such as grade and district.

In addition to allowing home education for children in foster care, DCF must ensure that the child is in the best educational setting that meets the needs of the child. This criterion prioritizes keeping the child in his or her school of origin to minimize educational disruption for the child. The child could be removed from their school of origin only if that educational setting is not in the best interest of the child. At which point, the caregiver, case manager, guardian ad litem, teachers, and guidance counselors must determine the best education setting. These required steps for students in foster care who wish to transfer schools could potentially deter students from changing their educational setting and thus minimize the impact of allowing home education for children in foster care.

4) Cumulative FTE and CO FTE Enrollment Impacts:

The conclusion is that a small number of children in foster care may take advantage of the new opportunity to enter home education and leave the public school system.

	Cumulative Fiscal Year Impacts				
	2015-16	2016-17	2017-18	2018-19	2019-20
FTE	Negative Insignificant	Negative Insignificant	Negative Insignificant	Negative Insignificant	Negative Insignificant
Weighted FTE	Negative Insignificant	Negative Insignificant	Negative Insignificant	Negative Insignificant	Negative Insignificant
CO FTE	Negative Insignificant	Negative Insignificant	Negative Insignificant	Negative Insignificant	Negative Insignificant

Mid-Year Promotion to Grade Four

CS/HB 7069, Enrolled, Education Accountability

Bill sections covered:

CS/HB 7069, Section 9, Lines 1088-1092

Effective Date:

April 14, 2015

1) Statement of current law and change:

a) Current Law:

Current law requires students to demonstrate the ability to read at grade level for mid-year promotion. (Section 1008.25 (7)(b)(3), F.S.)

b) Change:

- i) The bill clarifies that grade three students promoted during the school year after November 1 must demonstrate proficiency levels necessary for the beginning of grade 4.
- ii) The bill requires the State Board of Education to adopt rules that include standards for mastery of appropriate grade 4 reading skills. These State Board of Education Rules will be developed in Fall 2015.

2) Methodology:

a) Description of Data and Sources (Listing of sources):

- i) Presentation to State Board of Education, May 20, 2015 by Mary Jane Tappen (FLDOE Executive Vice Chancellor, K-12 Public Schools).
- ii) Survey 5 data, Prior School Status/Attendance Format, 2013-14 school year.

b) Assumptions (Key decisions by the analyst regarding unknowns):

- i) The percentage of students scoring at Level 1 on the new English Language Arts (ELA) assessments for grades three and four will be similar to the percentage that would have scored Level 1 on the FCAT reading assessment.
- ii) Students currently promoted mid-year from grade three to grade four:
 - (1) were retained in grade three at the end of the previous school year;
 - (2) scored the highest on the reading assessments among the students retained in grade three.

3) Analysis (Summary of major steps in producing the estimate):

The use of the ELA scores to determine which students must be retained in grade three will begin in 2015-16. It was not used in 2014-15 since the cut scores for the test will be set in 2015-16 after validation of the test is completed. The percentage of students who must be retained using the ELA scores cannot be determined until the cut scores for the test are available. The assumption is that the percentage of students who are retained will be

similar to the percentage that would have been retained under the FCAT reading assessment. Although similar, they will not be identical and there is no information at this time whether the percentage will be slightly higher or slightly lower. A State Board of Education rule will be developed in the fall of 2015 to set the standards of mastery of appropriate grade four reading skills for mid-year promotion.

There are no data fields in the DOE database that identify students promoted from grade three to grade four after November 1 of the school year. Survey 5, Prior School Status/Attendance Format, 2013-14 school year data set is the latest data set that has all records for a school year. There were 223 students identified who entered grade three in August 2013 and who were promoted to grade four from November 2013 through February 2014. The November start date for the analysis comes from the bill. The February end date for the analysis was determined as the last date that would have an impact on 2013-14 FTE student enrollment.

The majority of the 223 students would have had a reading score at the end of 2012-13 that was close to the cut-off score for promotion. The reading grade levels of the students at the time of the mid-year promotion are unknown, but it is likely that most students who are promoted mid-year after November 1 would have scores high enough to indicate mastery of grade four reading skills for mid-year promotion.

Under the change in the statute, from zero to 223 students would not have been promoted mid-year if the bill was in effect in 2013-14 under the assumption that the 2015-16 ELA assessment will have similar results as the FCAT reading assessment had. Furthermore, since these students are likely to have the highest reading scores among the retained students, the estimate is more likely to be closer to the lower end of the range. Since these students were promoted after the October FTE survey, the FTE effect would be from zero to 111.5 FTE reported in grade three instead of grade four for the February survey.

There would be no effect on total unweighted FTE or CO FTE but there is a possibility of an increase in weighted FTE. For students whose instruction is all reported in the Basic Education Program Category, the effect for each FTE student would be an increase of 0.115 weighted FTE (2015-16 program cost factor for Basic education Grades K-3 is 1.115; Program Cost Factor for Basic Education Grades 4-8 is 1.000). Thus, the weighted FTE effect for 2015-16 is an increase from 0.00 to 12.82 weighted FTE.

4) Cumulative FTE and CO FTE Enrollment Impacts:

	Cumulative Fiscal Year Impacts				
	2015-16	2016-17	2017-18	2018-19	2019-20
FTE	0.00	0.00	0.00	0.00	0.00
Weighted FTE	0 / Positive Insignificant	0 / Positive Insignificant	0 / Positive Insignificant	0 / Positive Insignificant	0 / Positive Insignificant
CO FTE	0.00	0.00	0.00	0.00	0.00

Opening Day of School

CS/HB 7069, Enrolled, Education Accountability

Bill sections covered:

CS/HB 7069, Section 1, Lines 117-121; Section 6, Lines 231-237

Effective Date:

April 14, 2015

1) Statement of current law and change:

a) Current Law:

Section 1001.42(4)(f), F.S. specifies that school districts may not begin school earlier than 14 days before Labor Day. Section 1003.621(2) provides an exemption for academically high-performing school districts.

b) Change:

Section 1001.42(4)(f), F.S. is amended to specify that a school district may not begin school earlier than August 10 each year. Section 1003.621(2), F.S. is amended to provide that academically high-performing school districts are no longer exempt from the opening date requirement of Section 1001.42.42(4)(f), F.S.

2) Methodology:

a) Description of Data and Sources (Listing of sources):

- i) School calendar dates submitted to the Florida Department of Education (FLDOE) by May 31 of each year.
- ii) Department of Education survey 6 reporting dates.

b) Assumptions (Key decisions by the analyst regarding unknowns):

- i) District opening prior to 14 days before Labor Day in 2014-15 will continue to do so.
- ii) Survey 6 reporting dates will not change. This assumption has been confirmed by the Department of Education.

3) Analysis (Summary of major steps in producing the estimate):

- a) Examination of 2014-15 school calendars.
- b) Examination of 2015-16 school calendars submitted prior to the impact conference meeting.

4) Cumulative FTE and CO FTE Enrollment Impacts:

In 2014-15 there were five districts that opened prior to August 18, 2014 which was fourteen days prior to Labor Day. These districts were Citrus (August 6), Clay (August 12), Nassau (August 6), Seminole (August 11), and Sumter (August 7). Seven academically high-performing districts did not choose to open early. These districts are Gilchrist, Martin, Okaloosa, St. Johns, Santa Rosa, and Wakulla.

Earlier opening of school for more districts will not affect the Department of Education database survey dates.

Earlier school opening will have no effect on the validity of the 2015-16 survey 2 conducted in October which is used to obtain an annualized full-time equivalent (FTE) estimate.

Survey 6 is conducted in September. Count 1 of survey 6 has been called the 10-day count and count 2 of survey 6 has been called the 20-day count because those dates are the 10th day and 20th day of school if a school district opened fourteen days prior to Labor Day. If more districts move to an earlier start date, then the survey 6 (count 2) headcount will no longer be an approximate 20-day count. For 2015-16, if most districts started school on August 10, then it would be an approximate 30-day count. Changing from a 20-day count to a 30-day count would not affect the validity of analysis made with the survey 6 data because by the 20th day all records for students who did not enter school have been identified. These records are the primary difference between the 10-day count and the 20-day count. However, moving the survey date up earlier to make it a 20-day count for the earliest opening districts would affect the validity of the survey 6 analysis. Not all districts will move their opening date prior to fourteen days prior to Labor Day. Moving the survey date up would make their survey less than a 20-day count.

Since the earlier start date will not affect the survey 2 reporting of FTE students, there will be no impact on FTE or CO FTE.

	Cumulative Fiscal Year Impacts				
	2015-16	2016-17	2017-18	2018-19	2019-20
FTE	0.00	0.00	0.00	0.00	0.00
CO FTE	0.00	0.00	0.00	0.00	0.00

Personal Learning Scholarships

SB 2500-A, Enrolled, General Appropriations Act

SB 2502-A, Enrolled, Implementing the General Appropriations Act

Bill section covered:

SB 2500-A, Section 2, Line 105

SB 2502-A, Section 5, Lines 464-566 and Lines 624-647

Effective Date:

July 1, 2015

1) Statement of current law and change:

a) Current Law:

Section 1002.385, F.S. addresses the Florida Personal Learning Scholarships Accounts Program.

Prior to July 1, 2015 these scholarship accounts were available to children eligible to enroll in kindergarten through Grade 12 public school, who have a disability (autism, down syndrome, intellectual disability, Prader-Willi syndrome, spina bifida, Williams syndrome, or a high risk kindergarten child) or have an Individual Education Plan (IEP). (Section 1002.385 (3), F.S. Program Eligibility)

b) Change:

Section 2 of SB 2500-A appropriates \$53,398,058 for Personal Learning Scholarship Account scholarship awards, an increase over the amount appropriated for FY 2014-15.

Overall, Section 5 of SB 2502-A amends the statute to include eligible 3 and 4 year olds and revises the definition of autism to “autism spectrum disorder, spectrum disorder, as defined in the Diagnostic and Statistical Manual of Mental Disorders, Fifth Edition, published by the American Psychiatric Association.” Additionally, the section adds muscular dystrophy to the list of eligible disabilities.

Three and four year olds cannot be enrolled in the Voluntary Prekindergarten Education Program in order to receive the scholarship. Scholarship accounts must be used to meet the individual education needs of an eligible student and may also be applicable towards tuition and fees for eligible part-time tutoring services.

Scholarship recipient priority is given first to eligible student renewals then to a wait list based on the order of approved completed applications. Parents must provide a filed public school withdrawal form, a letter of admission or enrollment in an eligible private school, appropriate documentation of a notice to establish and maintain a home education program or a copy of the student’s annual educational evaluation, or a formal

notification from a private school that has withdrawn the student from another educational scholarship program.

2) Methodology:

a) Description of Data and Sources (Listing of sources):

In consultation with Step Up for Students Scholarship Funding Organization, data are too limited at this time to be included in this analysis.

b) Assumptions (Key decisions by the analyst regarding unknowns):

i) The average scholarship amount will be \$10,000 resulting in more than 5,000 scholarships for 2015-16.

ii) The Scholarship Funding Organizations (SFOs) will continue to process and submit eligible applications until the amount of funds provided for this program in the General Appropriations Act are committed.

3) Analysis (Summary of major steps in producing the estimate):

There are currently two SFOs that are eligible to establish personal learning scholarship accounts for eligible students, Step Up for Students and AAA Scholarships. Step Up for Students establishes the majority of accounts, accounting for 95% of accounts in 2014-15.

For the 2015-16 school year Step Up for Students is expecting 1,600 renewals resulting in approximately 3,400 available scholarships for first-time applicants. It is unknown if all 3,400 scholarships will be claimed by eligible students. Additionally, the school district distribution and the prior school status (public, private, or home) of these potential 3,400 students cannot be assumed.

4) Cumulative FTE and CO FTE Enrollment Impacts:

The conclusion is that while there are 2015-16 Personal Learning Scholarship Accounts available, the magnitude of the negative impact on FEFP and Capital Outlay FTE cannot be determined. The impact will only affect FY 2015-16 since this is an implementing bill and there was no prior preference for eligibility based on renewals in the law prior to SB 2502-A. The negative impact is based on the increase in the appropriation of Personal Learning Scholarship funds.

	Cumulative Fiscal Year Impacts				
	2015-16	2016-17	2017-18	2018-19	2019-20
FTE	Negative Indeterminate	0.00	0.00	0.00	0.00
CO FTE	Negative Indeterminate	0.00	0.00	0.00	0.00

Progress Monitoring, Assessment, and Remediation

CS/HB 7069, Enrolled, Education Accountability

Bill sections covered:

CS/HB 7069, Section 3, Lines 145-161; Section 4, Lines 162-178; Section 5, Lines 188-190; Section 7, Lines 302-347 and Lines 581-639; Section 9, Lines 754-800, Lines 853-921, Lines 946-947, and Lines 991-1002; Section 10, Lines 1155-1179

Effective Date:

April 14, 2015

1) Statement of current law and change:

a) Current law:

Current law contains specific requirements for pupil progression, progress monitoring, student assessments and remediation. These include:

- i) Section 1008.25, F.S. provides detailed requirements for pupil progression and progress monitoring plans and specific required assessments and remediation strategies;
- ii) Section 1008.22, F.S. provides requirements for student assessments, including end-of-course examinations;
- iii) Section 1003.4156, F.S. provides requirements for middle grade promotions including specific requirements for remediation;
- iv) Section 1003.4282, F.S. provides requirements for high school graduation including specific assessments and remediation strategies;
- v) Section 1003.4285, F.S. provides requirements for the scholar designation for the standard high school diploma;
- vi) Section 1008.30, F.S. provides requirements for common placement testing for public postsecondary education.

b) Change:

- i) The bill removes specific detailed requirements for plans, assessments, and remediation strategies and reduces the amount of required testing for students. School districts still have the responsibility for monitoring student performance and providing remediation, but they have more flexibility in how they carry out these tasks.
- ii) The bill removes duplicative language regarding the course grading and graduation requirements for statewide, standardized End-of-Course (EOC) exams within the assessment section of law as it remains in the high school graduation section.
- iii) The bill removes obsolete language.

2) Methodology:

- a) Description of Data and Sources (Listing of sources):
 - i) Content analysis of the bill.
 - ii) Presentations to State Board of Education, May 20, 2015 by Juan Copa (FLDOE Deputy Commissioner, Division of Accountability, Research, and Measurement) and Mary Jane Tappen (FLDOE Executive Vice Chancellor, K-12 Public Schools).
- b) Assumptions (Key decisions by the analyst regarding unknowns):
 - i) Schools districts will provide the same level of progress monitoring and remediation when given the flexibility to provide through local decisions what is best for their students.
 - ii) The reduction in testing will not affect the progress of students.

3) Analysis (Summary of major steps in producing the estimate):

Since the reduction in testing and the flexibility for school districts for progress monitoring and strategies will not affect the progress of students, there should be no impact of FTE, weighted FTE or CO FTE.

4) Cumulative FTE and CO FTE Enrollment Impacts:

	Cumulative Fiscal Year Impacts				
	2015-16	2016-17	2017-18	2018-19	2019-20
FTE	0.00	0.00	0.00	0.00	0.00
CO FTE	0.00	0.00	0.00	0.00	0.00

Whole-Year Promotion to Grade Four

CS/HB 7069, Enrolled, Education Accountability

Bill section covered:

CS/HB 7069, Section 9, Lines 922-924 and Lines 981-982

Effective Date:

April 14, 2015

1) Statement of current law and change:

a) Current Law (Sections 1008.25 (5)(b) and 1008.25 (6)(b)(1), F.S.):

- i) Grade 3 students must score a level 2 or higher on the statewide, standardized reading assessment for grade three for promotion to grade 4.
- ii) Limited English proficient students who have had less than two years of instruction in an English for Speakers of Other Languages program may receive a good cause exemption to the mandatory grade-three retention.

b) Change:

- i) Grade 3 students must score a Level 2 or higher on the English Language Arts (ELA) statewide, standardized assessment for promotion to grade 4.
- ii) The bill specifies that the two years of instruction period for Limited English proficient students is based on the initial date of entry into a school in the United States.

2) Methodology:

a) Description of Data and Sources (Listing of sources):

Presentation to State Board of Education, May 20, 2015 by Mary Jane Tappen (FLDOE Executive Vice Chancellor, K-12 Public Schools).

b) Assumptions (Key decisions by the analyst regarding unknowns):

The percentage of students scoring at Level 1 on the new English Language Arts assessments for grades three will be similar to the percentage that would have scored Level 1 on the Florida Comprehensive Assessment Test (FCAT) reading assessment. Although similar, the percentages will not be identical.

3) Analysis (Summary of major steps in producing the estimate):

The use of the ELA scores to determine which students must be retained in grade three will begin in 2015-16. It was not used in 2014-15 since the cut scores for the test will be set in 2015-16 after validation of the test is completed. The percentage of students who must be retained using the ELA scores cannot be determined until the cut scores for the test are available. The assumption is that the percentage of students who are retained will be similar to the percentage that would have been retained under the FCAT reading assessment. Although similar, they will not be identical and there is no information at this time whether the percentage will be slightly higher or slightly lower. Any change in the

number of students retained in grade three will not affect either total unweighted FTE or CO FTE. The effect on weighted FTE would be the change in the number of students retained multiplied by .115 (the difference between the Program 101 and the Program 102 program cost factors). For the impact on weighted FTE to be 100 weighted FTE, there would need to be a change in the number of students retained of 1,500 students who have all their instruction in Basic Education courses. Instruction in English for Speakers of other Languages (ESOL) courses and in Exception Student Education (ESE) courses for retained students would not have any effect on weighted FTE.

The date used to determine eligibility for limited English proficient students for a good cause exemption from grade three mandatory retention requirements is a clarification. The original language was not clear when the two-year period started. The Department of Education student database captures the initial date of entry into a school in the United States.

- 4) Cumulative FTE and CO FTE Enrollment Impacts:
There would be no impact on FTE or CO FTE.

The impact on weighted FTE is expected to be small (less than 100). Thus, the impact is set at “Insignificant (+/-)” instead of “Indeterminate (+/-).”

	Cumulative Fiscal Year Impacts				
	2015-16	2016-17	2017-18	2018-19	2019-20
FTE	0.00	0.00	0.00	0.00	0.00
Weighted FTE	0.00	Insignificant (+/-)	Insignificant (+/-)	Insignificant (+/-)	Insignificant (+/-)
CO FTE	0.00	0.00	0.00	0.00	0.00

Notes

Cumulative Weighted FTE impacts may be included for selected bills or groups of bills. Weighted FTE line will be filled in depending upon bill / section analyzed. The pre-Conference report will have the Proposed Impact. The final document will have the Adopted Impact.

March 12, 2015
PreK-12 Education Impact Conference

Detailed Bill Discussion

Virtual Instruction

PCB CIS 15-01 (HB 7037 which has since been amended)

Bill section(s) covered:

Section 4, Lines 946-952

Effective Date:

July 1, 2015

1) Statement of current law and change:

a) Current Law:

Current Law allows a student to enroll in a virtual instruction program pursuant to s. 1002.455, F.S., which states that a student is eligible to participate in virtual instruction if:

- i) The student spent the prior school year in attendance at a public school in the state and was enrolled and reported by the school district for funding during October and February for purposes of the Florida Education Finance Program surveys;
- ii) The student is a dependent child of a member of the United States Armed Forces who was transferred within the last 12 months to this state from another state or from a foreign country pursuant to a permanent change of station order;
- iii) The student was enrolled during the prior school year in a virtual instruction program under s. 1002.45, F.S. or a full-time Florida Virtual School program under s. 1002.37(8)(a), F.S;
- iv) The student has a sibling who is currently enrolled in a virtual instruction program and the sibling was enrolled in that program at the end of the prior school year;
- v) The student is eligible to enter kindergarten or first grade; or
- vi) The student is eligible to enter grades 2 through 5 and is enrolled full-time in a school district virtual instruction program, virtual charter school, or the Florida Virtual School.

b) Change:

The proposed change is to repeal s. 1002.455, F.S. and to allow for open enrollment with no eligibility requirements for virtual programs. Florida's current Virtual Education program options are summarized in the following tables.

Currently Open to All Students

Virtual Program / School	Grade Levels Served
State Level	
Full Time	
Florida Virtual School Full Time (FLVS FT)	Grades K-12
Part Time	
Florida Virtual School (FLVS PT)	Grades K-1 and 6-12
District Level	
Full Time	
District Virtual Instruction Program (VIP) Schools 7001 and 7023	Grades K-5
District Franchise of FLVS School 7004	Grades K-12
District Virtual Course Offerings School 7006	Grades K-5
Virtual Charter School	Grades K-5
Part Time	
District Virtual Instruction Program (VIP) Schools 7001 and 7023	Grades K-1
District Franchise of FLVS School 7004	Grades K-1 and 6-12
District Virtual Course Offerings School 7006	Grades K-1

Eligibility per Section 1002.455, Florida Statutes

Virtual Program / School	Grade Levels Served
State Level	
Part Time	
Florida Virtual School (FLVS PT)	Grades 2-5
District Level	
Full Time	
District Virtual Instruction Program (VIP) Schools 7001 and 7023	Grades 6-12
District Virtual Course Offerings School 7006	Grades 6-12
Virtual Charter School	Grades 6-12
Part Time	
District Virtual Instruction Program (VIP) Schools 7001 and 7023	Grades 2-12
District Franchise of FLVS School 7004	Grades 2-5
District Virtual Course Offerings School 7006	Grades 2-12

Source: Florida Department of Education, (see endnotes for schools 7001¹, 7023², 7006³ and 7004⁴ below)

2) Methodology:

a) Description of Data and Sources (Listing of sources):

- i) 2013-14 Final Recalibrated Virtual FTE for schools 7001, 7006, 7023, 7004, and Florida Virtual School Part-Time from the Florida Department of Education (DOE).
- ii) 2013-14 Final Recalibrated Virtual FTE for home education students enrolled in Florida Virtual School Part-Time from the Florida Department of Education (DOE).

b) Assumptions (Key decisions by the analyst regarding unknowns):

- i) Among the programs affected by the repeal of the current eligibility requirements, FLVS Part-Time grades 2-5 is anticipated to absorb all of the impact because most students who will become eligible are currently in home education or private school and are not counted as FTE in any public school. There is a possibility that these same students may enroll in a district virtual program, but the total FTE impact is the same as if they enrolled in FLVS Part-Time.
- ii) According to DOE, detailed data on private school students in FLVS PT are not available considering the time constraints of this analysis. As such, the impact of private school students in FLVS PT has been estimated in order to account for private school students taking FLVS PT courses.

¹ 7001 is defined to include "Virtual Instruction Program operated through a contract with a provider that is approved by the Department of Education under section 1002.45(2), F.S., the Florida Virtual School or a community college."

² 7023 is defined to include "Virtual Instruction Program operated by the school district as per section 1002.45(1)(c)4, F.S."

³ 7006 is defined to include "District Virtual Course Offerings as per section 1003.498(2), F.S."

⁴ 7004 is defined to include "Florida Virtual School Franchise participants as per section 1002.37(2)(i), F.S."

- iii) Movements among the other virtual programs are anticipated to have no or minimal FTE impacts on the state as a whole because students will be switching between public schools.
- iv) The growth in impact through 2019-20 is the same growth adopted by the 2015 February PreK-12 Education Enrollment Estimating Conference.

3) Analysis (Summary of major steps in producing the estimate):

First, FTE enrollment by grade for schools 7001, 7006, 7023, 7004, and FLVS PT were examined to identify anomalies in the grade structure which could be caused by the eligibility restrictions. According to DOE, data for Virtual Charter schools is too limited to include in the analysis.

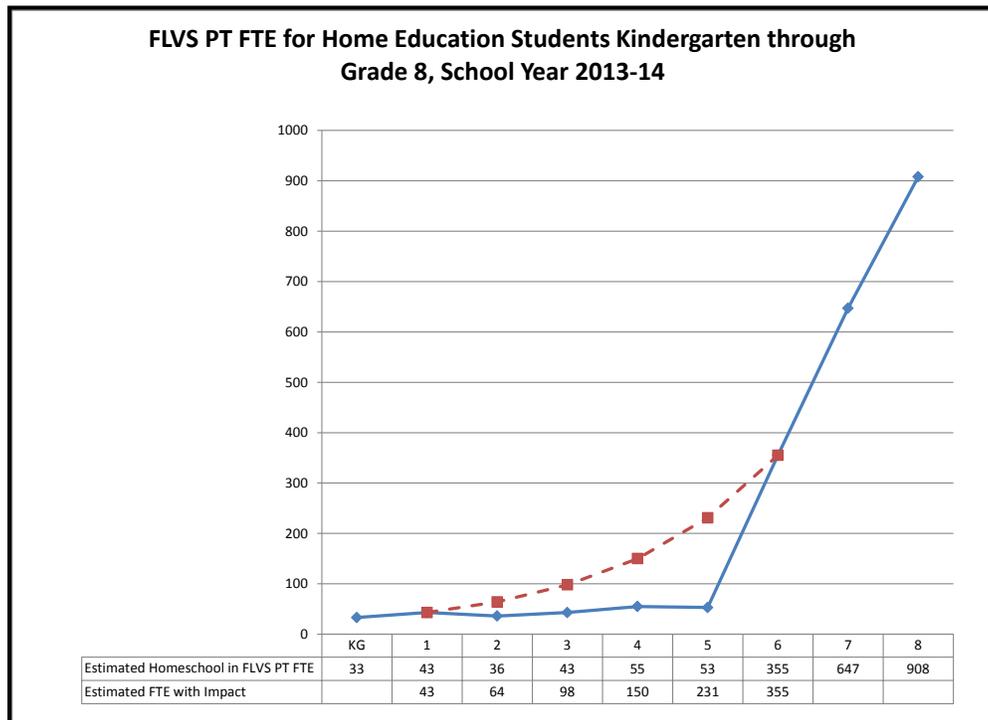
FTE Enrollment for Selected FEFP Schools Kindergarten through Grade 12, Fiscal Year 2013-14					
Grades	7001	7006	7023	7004	FLVS PT
KG	93	-	85	2	35
Grade 1	105	1	94	-	46
Grade 2	120	2	86	2	39
Grade 3	108	2	108	3	46
Grade 4	109	4	94	6	63
Grade 5	113	4	120	44	77
Grade 6	89	6	115	260	580
Grade 7	86	13	106	370	1,171
Grade 8	72	36	128	566	1,899
Grade 9	42	75	94	631	3,376
Grade 10	37	62	78	682	4,660
Grade 11	39	110	110	920	5,492
Grade 12	34	159	86	932	6,571

All shading indicates where the eligibility restrictions from 1002.455 are applied by school by grade. Yellow shading indicates only restrictions on the Part-Time students; Blue shading indicates restrictions on both the Full-Time and Part-Time students (no school/grades have eligibility restrictions for only Full-Time); and no shading indicates no eligibility requirements.

Second, FLVS PT was determined to be the only school with a potential impact on FTE because FLVS PT may draw in non-public students who were previously ineligible under s. 1002.455, F.S. Public, private, and home education students in grades 6-12 currently have sufficient options for virtual instruction; as such relaxing eligibility requirements is not anticipated to motivate them to switch programs. Additionally, grades kindergarten and grade 1 have no eligibility restrictions, so they are unaffected. Focusing on grades 2-5, newly eligible public school students may switch from brick and mortar schools to virtual schools, but there is no FTE impact because the student would always be enrolled in a public school. As such, much of the FTE impact would come from newly eligible home education and private school students enrolling in FLVS PT grades 2-5.

Even if some of the home education and private school students enroll in district virtual courses instead of FLVS PT, the total impact would be the same because these students would still be entering public schools for the first time.

Third, the FTE impact from incoming non-public students in FLVS PT was calculated by filtering the total FLVS PT FTE by home education students. Using the FLVS PT FTE for only home education students, a grade structure was interpolated for grades 2-5 to simulate the impact of newly eligible home education students entering FLVS PT. Then the estimated impact from private school students was applied to the impact from home education students to get a total impact for non-public school students entering the public school system for the first time.



After an estimated impact was calculated for the 2013-14 school year, growth factors for FLVS PT Private/Home were applied to the 2013-14 impact to project the estimated impact to the 2019-20 school year. The growth factors used were the underlying factors for FLVS PT Private/Home from the 2015 February PreK-12 Education Enrollment Estimating Conference.

4) Cumulative FTE and CO FTE Enrollment Impacts:

	Cumulative Adopted Fiscal Year Impacts*				
	2015-16	2016-17	2017-18	2018-19	2019-20
FTE	454	486	515	541	563
COFTE	0	0	0	0	0

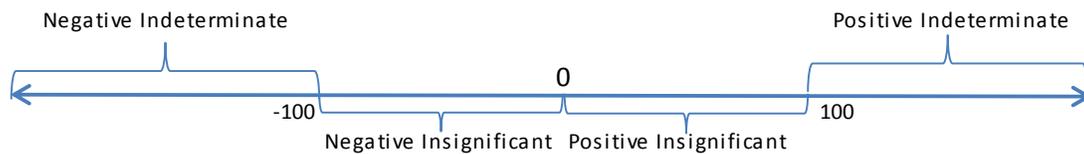
*The cumulative effects are not compounding. There is a non-recurring level shift followed by anticipated natural growth.

Appendix

All references to FTE apply to FEFP FTE, unless otherwise specified. All impacts are the cumulative effects. Cumulative effects means that the estimate for each fiscal year can be applied directly against the adopted forecast. The table below illustrates what is meant by fiscal year cumulative impacts, where FY references to prior years are inclusive of modifications to that specific cohort which reflect the natural passage of time.

Fiscal Year (FY) Cumulative Impacts				
	FY 1	FY 2	FY 3	FY 4
FTE Impact	FY 1 Annual Impact	FY 1 Annual Impact + FY 2 Annual Impact	FY 1 Annual Impact + FY 2 Annual Impact + FY 3 Annual Impact	FY 1 Annual Impact + FY 2 Annual Impact + FY 3 Annual Impact + FY 4 Annual Impact

Effects without specific numerical estimates are described as follows:



Wording	Meaning
Indeterminate (+/-)	The impact cannot be estimated as to level and direction, but the level is expected to be larger than or equal to +100 FTE or -100 FTE.
Positive Indeterminate	The impact cannot be estimated, but the level is expected to be positive and larger than or equal to +100 FTE.
Negative Indeterminate	The impact cannot be estimated, but the level is expected to be negative and larger than or equal to -100 FTE.
0 / Positive Indeterminate	The impact may be zero or it may be positive indeterminate.
0 / Negative Indeterminate	The impact may be zero or it may be negative indeterminate.
Insignificant (+/-)	The impact cannot be estimated as to direction, but the level is expected to be smaller than +100 FTE or -100 FTE.
Positive Insignificant	The impact is expected to be positive and the level is expected to be smaller than +100 FTE.
Negative Insignificant	The impact is expected to be negative and the level is expected to be smaller than -100 FTE.
0 / Positive Insignificant	The impact may be zero or it may be positive insignificant.
0 / Negative Insignificant	The impact may be zero or it may be negative insignificant.