

## HOUSE OF REPRESENTATIVES STAFF FINAL BILL ANALYSIS

**BILL #:** HB 891 Year-round School Pilot Program

**SPONSOR(S):** Williams and others

**TIED BILLS:** None. **IDEN./SIM. BILLS:** SB 1564

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**FINAL HOUSE FLOOR ACTION:** 107 Y's

0 N's

**GOVERNOR'S ACTION:** Approved

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### SUMMARY ANALYSIS

HB 891 passed the House on April 28, 2023, and subsequently passed the Senate on May 4, 2023.

Florida schools operate mainly on a traditional, 180-day schedule, but are authorized to operate on a year-round schedule. Year-round schools have educational opportunities over an eleven- or twelve-month period, with shorter, staggered vacation periods, as opposed to traditional schedules having educational opportunities over an eight or nine consecutive month period with consecutive months for vacation. During the 2021-2022 school year, 16 public schools in 10 school districts participated in a year-round school schedule.

To study the issues, benefits, and schedule options for instituting a year-round school program for all students, the bill creates a year-round school pilot program, beginning with the 2024-2025 school year. The pilot program is established for a period of 4 years and requires the Department of Education (DOE) to assist school districts in establishing a year-round school program within at least one elementary school in the district.

The bill allows school districts to apply for participation and specifies that the Commissioner of Education (commissioner) must select five school districts to participate in the pilot program. The selected schools, to the extent possible, should represent a variety of demographics, including, but not limited to, an urban, a suburban, and a rural school district.

The bill requires a school district enrolled in the pilot program to implement a single or multi-track schedule and provide specific data to the DOE to assess the benefits of a year-round school program along with an evaluation of barriers to implementation.

Upon completion of the program, the commissioner must provide a report to the Governor and Legislature and include the commissioner's recommendation on the adoption of year-round school programs for all students.

The bill authorizes the State Board of Education to adopt rules to administer the program.

The bill has an indeterminate fiscal impact to the DOE and, under specific circumstances, no fiscal impact to participating school districts. See Fiscal Comments, *infra*.

The bill was approved by the Governor on May 11, 2023, ch. 2023-66, L.O.F., and will become effective on July 1, 2023, except as otherwise provided.

## I. SUBSTANTIVE INFORMATION

### A. EFFECT OF CHANGES:

#### Present Situation

##### Traditional and Year-Round School Schedules

In Florida, district school boards are responsible for the operation of all public schools for a minimum of 180 days or the hourly equivalent.<sup>1</sup> Boards are responsible for the opening and closing of public schools and may not have an opening date earlier than August 10 of each year.<sup>2</sup>

In addition to a traditional 180-day schedule, Florida law does authorize a school to operate a year-round schedule.<sup>3</sup> Year-round schools have educational opportunities over an eleven- or twelve-month period, with shorter, staggered vacation periods, as opposed to traditional schedules having educational opportunities over an eight or nine consecutive month period with consecutive months for vacation.<sup>4</sup>

For the 2021-2022 school year, 16 public schools in 10 school districts participated in a year-round school schedule.<sup>5</sup>

##### Florida's School Funding

The Florida Education Finance Program (FEFP) provides funding for a 180-day regular school year, or the hourly equivalent of 180 days.<sup>6</sup> Under the FEFP, financial support for education is based on the full-time equivalent (FTE)<sup>7</sup> student membership in public schools.<sup>8</sup>

School districts report student membership through a number of surveys periods. For FTE reporting, the survey periods cover the following time frames:<sup>9</sup>

- Survey Period 1 (July) covers the time period from the beginning of the fiscal year (July 1) to the beginning of the defined 180-day school year.
- Survey Period 2 (October) covers the first 90 days of the 180-day school year.
- Survey Period 3 (February) covers the second 90 days of the 180-day school year.

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<sup>1</sup> Section 1001.42(12)(a), F.S. Hourly equivalent equates to 900 hours for students in grades 4 through 12 and 720 hours for students in kindergarten through grade 3. Section 1011.61(1)(a)1., F.S. Florida law does not require a minimum number of hours or minutes per school day.

<sup>2</sup> Section 1001.42(4)(f), F.S.

<sup>3</sup> Section 1011.62(1)(q), F.S.

<sup>4</sup> Florida Department of Education, Automated Student Information System Student Data Elements (2019-20), available at <https://www.fldoe.org/core/fileparse.php/18758/urlt/1920-196225.pdf>.

<sup>5</sup> Email, Florida Department of Education (Mar. 8, 2023).

<sup>6</sup> Florida Department of Education (DOE), *Full-time Equivalent (FTE) General Instructions 2022-2023* (2022), at 7, available at <https://www.fldoe.org/core/fileparse.php/7508/urlt/2223FTEGenInstruct.pdf>, [hereinafter *General Instructions*]. Exceptions include the Department of Juvenile Justice programs; Juveniles Incompetent to Proceed programs; the Florida Virtual School; and virtual instruction programs; and virtual charter schools for the purpose of course completion and credit recovery.

<sup>7</sup> Section 1011.62(1)(i)1., F.S. A “full-time student” is one student on the membership roll of one school program or a combination of school programs for the school year or the equivalent for instruction in a standard school, comprising not less than 900 net hours for a student in or at the grade level of 4 through 12, or not less than 720 net hours for a student in or at the grade level of kindergarten through grade 3 or in an authorized prekindergarten exceptional program. A full-time equivalent student in a virtual instruction program, virtual charter school, or Florida Virtual School consists of 6 full-credit completions or the prescribed level of content that counts toward promotion to the next grade. Credit completions may be a combination of full-credit courses and half-credit courses.

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

<sup>9</sup> *General Instructions*, *supra* note 6, at 9.

- Survey Period 4 (June) covers the period from the end of the 180-day school program to the end of the fiscal year (June 30).
- Survey Period 5 covers reporting of prior school year data for specified programs.

For schools following a traditional schedule, Surveys 2 and 3 cover the first and second 90 days of the 180-day school year.<sup>10</sup>

Year-round schools report the first 90 days of their 180-day school year in October and their second 90 days of their 180-day school year is reported in the February survey, regardless of when the tracks are in session.<sup>11</sup>

## Effect of Bill

To study the issues, benefits, and schedule options for instituting a year-round school program for all students, the bill creates, a year-round school pilot program, beginning with the 2024-2025 school year.

The pilot program is established for a period of 4 years and requires the Department of Education (DOE) to assist school districts in establishing a year-round school program within at least one elementary school in the district.

The bill allows school districts to apply to the DOE for participation in the pilot program, in a format and date determined by the DOE. The application to participate, as specified in the bill, must include:

- The number of students enrolled in the elementary school or schools that will implement a year-round school program.
- The academic performance of the students enrolled in such school or schools.
- The rate of absenteeism and tardiness of students enrolled in such school or schools.
- The commitment of such school's or schools' instructional personnel and students to the year-round program.
- An explanation of how the implementation of the year-round school program will benefit the students.

The bill requires the Commissioner of Education (commissioner) to select five school districts to participate in the pilot program. The selected schools, to the extent possible, should represent a variety of demographics, including, but not limited to, an urban, a suburban, and a rural school district.

A school district enrolled in a year-round school program must implement a single or multi-tract schedule and provide data to the DOE which allows for:

- The assessment of the academic and safety benefits associated with establishing a year-round school program.
- The evaluation of any protentional barriers for a school district upon implementation of a year-round school program, including:
  - Issues related to the commitment of instructional personnel and students.
  - The provision of services during the summer months.
  - School district budgeting.
  - Parental engagement and participation.
  - Coordination with community services.
  - Student assessment and progression practices.
  - Student transportation.
- Consideration of strategies for addressing potential barriers.

Upon completion of the program, the commissioner must provide a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report must include:

<sup>10</sup> *General Instructions, supra* note 6, at 67.

<sup>11</sup> *General Instructions, supra* note 6, at 68.

- The number of students enrolled at participating schools.
- The number of students enrolled at participating schools before and after the implementation of the year-round school program.
- Any health, academic, and safety benefits for students or instructional personnel from the implementation of the year-round school program.
- An evaluation of any potential barriers for school districts and families associated with a year-round school program.
- The commissioner's recommendation on the adoption of year-round school programs for all students.

The bill authorizes the State Board of Education to adopt rules to administer the pilot program.

## 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:

See Fiscal Comments.

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

None.

### D. FISCAL COMMENTS:

There is an indeterminate fiscal impact on the DOE to oversee and implement the pilot program; however, this fiscal impact can be absorbed within existing resources.

There is no fiscal impact on school districts who participate in the Year-round School Pilot Program if the year-round school schedule equals 180 days or the hourly equivalent of 180 days statutorily funded in the FEFP.