

Broward Principals & Administrative Assistants

2010 Final Session Report

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Budget

Education: PreK-12

This Education (PreK-12) budget maintains funding in the classroom in order to meet our commitment to Florida's kids and the future they represent. It addresses a promise to protect core education programs and to maintain eligibility for the Federal Stabilization Funds under the Maintenance of Effort (MOE) waiver.

Included in this budget area is \$21.2 million for Excellent Teaching to fund 4% bonuses for National Board Certified Teachers. This is a component of our effort to reward the state's best teachers.

The total budget for PreK-12 Education is \$22.3 billion for 2010-11. This includes:

- \$9.1 billion in General Revenue (an increase of \$1 billion over 2009-10)
 - The GR increase is to backfill the required local effort "RLE" reduction that has occurred due to reduced property tax collections. These collections are down this year as a result of the decline in the real estate market and economy.
 - This increase occurs in lieu of millage rate increases. (Meaning, there are no hidden tax increases for our constituents in this budget.)
- \$353.3 million from the Florida education trust funds
- \$969.5 million from Federal Stabilization funding
- \$8.3 billion from required and discretionary local effort in the FEFP.

Some specific summary areas are as follows:

The Florida Education Finance Program (FEFP) – This budget slightly increases per-student funding.

- Total FEFP of \$18.1 billion (state, local, and federal stabilization funds); increase of \$111.3 million (0.62%) from 2009-10.
- Individual funding per student (FTE) increased \$1.22 (0.02%) to a total of \$6,843.51.
- Student enrollment increase of 15,796 or 0.6%.
- Tax roll decrease of 9.48%.
- Included is a benefits increase in the state's contribution to FRS of \$182.7 million.

Voluntary Pre-Kindergarten (VPK) – This program budget is \$404.4 million.

- A \$37.6 million increase which includes funding for additional students offset by a class size adjustment from 1:10 to 1:12.
- Funding per student is \$2,562 for the school year and \$2,179 for the summer program.

Non-FEFP Budget Entities – Most programs reduced by 4%. The following programs have no reduction in funds:

- FDLRS

Budget

- Autism Centers
- Regional Consortia
- Public Broadcasting
- Florida School for the Deaf & Blind

Additional PreK-12 provisions:

- Reading Grants are funded at \$2.3 million.
- The bill also provides an additional \$143 million for the Federal School Lunch program.
- An administrative reduction of 14 positions at the State Board of Education (BOE).

Retirement Issues

While retirement issues took precedence over a vast majority of the session, retirement issues ultimately were either withdrawn or died in committee. The only bill to successfully pass was HB 5607. This bill:

- * Revises s. 121.71 FS to establish the required employer payroll contribution rates for each membership class and subclass of the defined benefit plan and the optional retirement plans within the FRS for the FYs beginning July 1, 2010 & July 1, 2011.
- * Reduces the interest rate earned on participants in DROP from 6.5% to 3% annually for employees entering DROP after July 1, 2010. Current DROP participants are not affected.
- * Specifies methods of funding DROP for the state actuary when conducting the annual actuarial study of the State Retirement System.

Subject to the Governor's veto power, the effective date of this bill is July 1, 2010.

It is also expected that the Senate, at the request of Senator Mike Bennett will conduct an interim study on retirement issues that were considered or discussed during the legislative session. As soon as those work products are announced, we can formulate a plan to work with the appropriate committee staff and members to discuss our issues.

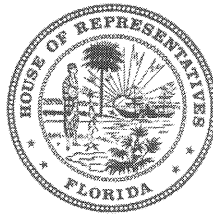
HOUSE OF REPRESENTATIVES

Education Policy Council

Representative Will Weatherford, Chair

Representative Marti Coley, Vice Chair

2010 SUMMARY OF PASSED LEGISLATION



PreK-12 Policy Committee

Representative John Legg, Chair

Representative Erik Fresen, Vice Chair

State Universities & Private Colleges Policy Committee

Representative Seth McKeel, Chair

Representative H. Marlene O'Toole, Vice Chair

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SJR 2 - Class Size Requirements for Public Schools

By: Gaetz and others

Tied Bills: None

Companion Bills: HJR 7039

Committee(s) of Reference: Education Pre-K – 12; Policy and Steering Committee on Ways and Means

The Joint Resolution provides voters with the opportunity to amend Section 1, Article IX of the State Constitution, relating to class size. This constitutional section currently specifies that the maximum number of students who may be assigned to a teacher in public school classrooms, by the beginning of the 2010 school year, is: (a) 18 students in prekindergarten (PreK) through grade three; (b) 22 students in grades four through eight; and (c) 25 students in grades nine through 12.

The Joint Resolution, if approved by the voters, would modify the class size requirements so that compliance, beginning with the 2010-2011 school year, would be calculated as follows:

- **PreK–Grade 3:** The maximum number of students who could be assigned to each teacher in an individual classroom would be 21, but the average number of students assigned per class to each teacher within each public school could not exceed 18 students;
- **Grades 4–8:** The maximum number of students who could be assigned to each teacher in an individual classroom would be 27, but the average number of students assigned per class to each teacher within each public school could not exceed 22 students; and
- **Grades 9–12:** The maximum number of students who could be assigned to each teacher in an individual classroom would be 30, but the average number of students assigned per class to each teacher within each public school could not exceed 25 students.

Additionally, the Joint Resolution proposes revisions that would: expand the current exemption of extracurricular classes from class size requirements to also exempt virtual classes; require the Legislature to provide sufficient funding to maintain the average number of students that would be required under the modified class size requirements; and delete obsolete language that currently requires the Legislature, beginning 2003-2004, to provide sufficient funds to reduce the average number of students in each classroom by at least two students annually.

The Joint Resolution would take effect upon approval by the voters and would operate retroactively to the beginning of the 2010-2011 school year.

HB 7037 (ch. 10-70, LOF) - Education

By: Education Policy Council; Coley and others

Tied Bills: None

Companion Bills: CS/SB 1806

Committee(s) of Reference: None

The bill amends law governing a variety of education-related topics for purposes of:

- Conforming statutes that address vocational rehabilitation programs to changes in controlling federal law and repealing provisions of law related to those programs that are duplicative or obsolete;

- Repealing statutory references to the SMART Schools Clearinghouse, as the entity is no longer funded and its duties have been assumed by the Office of Educational Facilities within the Department of Education;
- Directing the Division of Statutory Revision within the Office of Legislative Services to produce a reviser's bill for the 2011 Regular Session that will ensure the uniform use of terminology related to the Florida College System throughout the Florida K-20 Education Code; and
- Repealing sections of education law that have been held unconstitutional; establish programs that have been superseded by more recent legislation; are duplicative of federal law requirements; or have not been funded or implemented.

The bill was approved by the Governor on May 12, 2010, ch. 2010-70, Laws of Florida. The effective date of this bill is July 1, 2010.

HB 7237 (ch. 10-78, LOF) - Postsecondary Education

By: Education Policy Council; Weatherford

Tied Bills: None

Companion Bills: CS/CS/SB 1786

Committee(s) of Reference: None

On March 24, 2010, the Chair of the Board of Governors (BOG), the Chancellor of the State University System, legislative leaders, and the Governor signed an agreement to provide a framework for the collaborative exercise of joint authority by the BOG and Legislature for Florida's public higher education in accordance with their respective state constitutional responsibilities. As a result of the agreement, the BOG filed a notice of dismissal, with prejudice, of their claims in the 2007 lawsuit filed against the Legislature. The presiding officers agreed to file legislation in accordance with the framework set forth in the agreement and to exercise their best efforts to accomplish the final passage of the legislation.

The bill implements the provisions of the agreement as follows:

- Creates the Higher Education Coordinating Council to act as an advisory board to the Legislature, the State Board of Education, and the BOG;
- Repeals s. 1001.74, F.S., relating to the powers and duties of the university boards of trustees in recognition of the BOG's exclusive authority to delegate powers and duties to the university boards of trustees;
- Acknowledges the BOG is responsible for the personnel programs for university employees, requires the BOG to confirm the presidential selection by a university board of trustees, and states the Department of Management Services will continue to control the state group insurance and retirement plans;
- Authorizes the BOG to approve university proposals to: implement flexible tuition policies, establish a fee not specifically authorized by law, and increase certain existing fees;
- Provides guidelines for the review of university fee proposals;
- Exempts state universities from certain requirements regarding communications and data processing;
- Allows a university to participate in the SUNCOM Network at the university's discretion;
- Acknowledges the BOG's authority to adopt regulations when acting pursuant to its constitutional duties and responsibilities;

- Requires the BOG and university boards of trustees to comply with the Administrative Procedure Act when acting pursuant to statutory authority, unless specifically authorized or required to adopt regulations;
- Authorizes the Department of State to remove certain rules from the Florida Administrative Code; and
- Eliminates the requirement of legislative approval for certain programs that lead to licensure and repeals the specific statutory authority for certain programs.

The bill was approved by the Governor on May 12, 2010, ch. 2010-78, Laws of Florida. The effective date of this bill is July 1, 2010.

PreK-12 Policy Committee

CS/CS/SB 4 (ch. 10-22, LOF) - Education Accountability

By: Policy and Steering Committee on Ways and Means; Education Pre-K - 12; Detert and others

Tied Bills: None

Companion Bills: CS/CS/HB 7053

Committee(s) of Reference: Education Pre-K - 12; Policy and Steering Committee on Ways and Means

The bill raises high school graduation requirements in order to provide Florida's students with the opportunity to acquire the academic skills necessary to succeed in college and the workplace. The bill establishes more rigorous mathematics and science standards by requiring geometry and Algebra II as two of the four mathematics credits needed for high school graduation and by requiring Biology I, chemistry or physics, and an equally rigorous course as the three science credits needed for graduation. In addition, students must pass end-of-course (EOC) assessments in Algebra I, geometry, and Biology I in order to earn course credit for each course. The State Board of Education is required to establish two cut scores for each EOC assessment, a passing score and a score indicating that a student is high achieving and has the potential to meet college-readiness standards.

The Commissioner of Education is directed to develop an implementation schedule for the development and administration of additional EOC assessments in English/Language Arts II, Algebra II, chemistry, physics, Earth/Space science, United States history, and world history, subject to funding availability. Performance on these statewide, standardized EOC assessments will constitute at least 30 percent of the student's course grade.

If a student does not pass a statewide, standardized EOC assessment, the use of equivalent scores is authorized in order to meet the assessment requirement. Additionally, the Credit Acceleration Program is created to allow a student to earn high school course credit without being enrolled in the course if the student attains a passing score on a statewide, standardized EOC assessment.

The grade 9 and grade 10 FCAT Mathematics and high school level FCAT Science are eliminated, as well

as the requirement for a revised FCAT Writing beginning with the 2012-2013 school year.

Provisions in existing law relating to high school major and minor areas of interest are repealed. High schools are required provide acceleration courses and advise students of such courses.

The Office of Program Policy Analysis and Government Accountability is directed to conduct a study on the different types of diplomas offered in other states. The study must provide information regarding differentiated high school diploma options. The report must be submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by January 31, 2011.

The bill was approved by the Governor on April 20, 2010, ch. 2010-22, Laws of Florida. The effective date of this bill is July 1, 2010.

CS/CS/SB 6 - Education Personnel

By: Policy and Steering Committee on Ways and Means; Education Pre-K - 12; Thrasher and others

Tied Bills: None

Companion Bills: CS/HB 7189

Committee(s) of Reference: Education Pre-K - 12; Policy and Steering Committee on Ways and Means

The bill reforms current law regarding performance appraisal systems and salary schedules for instructional personnel and school-based administrators, contracts for newly hired classroom teachers, educator certification, and teacher preparation programs. The bill places increased emphasis on student learning when evaluating instructional personnel and school-based administrator performance and requires that performance appraisals be considered in educator recertification, determining salary increases for instructional personnel and school-based administrators, and renewing contracts with classroom teachers hired on or after July 1, 2010.

The bill requires each school district and charter school performance appraisal to differentiate among four levels: unsatisfactory, needs improvement, effective, and highly effective. Effective July 1, 2014, student learning gains must comprise more than 50 percent of the appraisal. To measure learning gains, school districts and charter schools must utilize existing statewide assessments; Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, and industry certification examinations; and, for subject areas and grade levels that are not tested by these examinations, end-of-course assessments developed or acquired by the district or charter school. The State Board of Education must adopt rules establishing the method for calculating rates of student learning tied to the four performance levels and the Department of Education (DOE) must collect and report, by school and by district, the percentage of employees evaluated at each performance level.

The bill prohibits school districts and charter schools from awarding professional service contracts to classroom teachers newly hired on or after July 1, 2010. Classroom teachers hired by school districts on or after July 1, 2010, will receive a one-year probationary contract and then may receive up to four annual contracts if the teacher holds a professional certificate and is recommended by the superintendent and approved by the district school board. In order to receive an annual contract thereafter, a classroom teacher must have met the aforementioned requirements and have been evaluated as effective or highly effective on at least two of the three preceding performance appraisals.

The bill requires school districts and charter schools to use performance appraisals in determining salary increases for instructional personnel and school-based administrators (i.e., performance pay) and ends the use of years of service or advanced degrees in setting salary schedules. However, advanced degrees may be used to assess an employee's "knowledge of subject matter," which is an existing element of the performance appraisal. Additionally, the bill modifies existing law to require that school districts provide differentiated pay to instructional personnel and school-based administrators who work in high-priority location areas, teach in critical teacher shortage areas, or take on additional academic responsibilities.

Beginning in 2011-2012, the bill establishes the Performance Fund for Instructional Personnel and School-Based Administrators, which is the equivalent of five percent of the total state, local, and federal funding determined by the Florida Education Finance Program. School districts and charter schools must use these funds to implement the bill's requirements regarding performance and differentiated pay, performance appraisals, and end-of-course assessments. If funds remain after these requirements are met, the remaining balance may be used for general operations. The bill establishes procedures for reviewing school district and charter school compliance and requires that funds be withheld for noncompliance.

The bill strengthens the subject area mastery requirements for out-of-state certified teachers seeking professional certification in Florida and for temporary certificate holders; prohibits district school boards from assigning a beginning teacher to teach out-of-field in mathematics, science, or reading; eliminates lifetime recertification for National Board certified educators; and requires that an educator have been evaluated as effective or highly effective on four of the previous five performance appraisals in order to renew professional certification. In addition, the bill revises several requirements related to initial teacher preparation programs and educator preparation institutes (EPI). Most notably, the bill requires, as an element of continued approval, that initial teacher preparation programs and EPIs demonstrate that program graduates produce student learning gains.

The bill requires the DOE and Board of Governors of the State University System to collaboratively review the cost-effectiveness of initial teacher preparation programs, EPIs, and school district professional education competence demonstration programs and requires the Office of Program Policy Analysis and Government Accountability to review the standards for continued approval of teacher preparation programs.

Finally, the bill phases out bonuses awarded to National Board certified teachers under the Dale Hickam Excellent Teaching Program and repeals several obsolete or under-utilized programs, such as the Merit Award Program, deregulated public schools pilot program, academic performance based charter school districts, and the Critical Teacher Shortage Program.

The bill was vetoed by the Governor on April 15, 2010.
