



Department of Education

Legislative Update

Dr. Kim McDougal

Assistant Deputy Commissioner,

Governmental Relations

March 18th, 2003



2003 Legislative Session Update

Statistics



1250 Senate bills, resolutions, or memorials filed



887 House bills, resolutions, or memorials filed

2137 Total Bills Filed as of 3/16/03



2003 Legislative Session Update

- As of 03/16/03 the Department of Education's Governmental Relations Office is tracking **349 Bills** – almost half are K-12 related bills
- House staff have requested 72 bill analysis and Senate staff have requested 51 bill analysis or fiscal notes for a total of 123 bill analysis requests, 35 delivered to Legislative staff



2003 Legislative Session Update

Constitutional Amendments

2003 Legislative Agenda



Constitutional Amendments: Class-size

Requires the Legislature to provide funding for sufficient classrooms so that there be a maximum number of students in public school classes for various grade levels; requires compliance by the beginning of the 2010 school year; requires the Legislature and not local school districts, to pay for the costs associated with reduced class size; prescribes a schedule for phased-in funding to achieve the required maximum class size.

Constitutional Amendments: Class-size

Differences in House and Senate Bills

House

Three district averages: Pre-K to grade 3, 4 through 8, 9 through 12.

District school boards must consider the various toolbox items, such as: dual enrollment, FLVS, joint-use facilities, Block scheduling, Rezoning, Double/alternative sessions, Year round schools, FLAG Grants.

Senate

Uses a phased in definition of average:

- 2003-2004 through 2005-2006, uses a district average by grade groupings*
- 2006-2007 through 2007-2008, uses a school average by grade groupings*
- 2008-2009 through 2009-2010, uses an individual classroom calculation*

Same, except for the removal of FLAG Grants as implementation option.

Constitutional Amendments: Class-size

Differences continued...

House

Does not contain this provision

*In 2004-2008, DOE will determine districts not meeting two-student-per-year reduction goals, unless those districts come into compliance based on February count, the district must implement one of the following: Rezoning, Year-round schools, Double sessions and **FLAG Grants***

Creates Classrooms for Kids Program to allocate facilities funds to all 67 districts.

Senate

In 2003-2004 fiscal year, DOE will determine districts not meeting two-student-per-year reduction goals and those who do not meet requirement, can only use categorical funds for Capital Outlay.

*In 2005-2006 school year, DOE will determine districts not meeting two-student-per-year reduction goals, and offers **Extended school year** as option in place of FLAG Grants*

Does not contain this provision

Constitutional Amendments: Class-size

Differences continued...

House

*\$30 million for For **Small County Assistance Program** for the 2004-2005 school year.*

*\$100 million to continue SIT Program for **School Infrastructure Thrift Program***

Provides for extension of DROP from 5 yrs to 8 yrs for K-12 instructional personnel and school administrators based upon approval by school board.

Creates the Class size reduction lottery revenue bond program to provide additional lottery bonding authority.

*Limits total principal amount of bonds to **\$2 billion**.*

Senate

Does not contain this provision

Does not contain this provision

Extends DROP for K-12 instructional personnel only. Does not include school-based administrators.

*Limits total principal amount of bonds to **\$1.4 billion**.*

Constitutional Amendments: Class-size

Definition of Instructional Spaces

- **Instructional Spaces**
 - 10 Design Codes by Instructional Space
- **Non-instructional Spaces**
 - Cafeteria
 - Restrooms
 - Circulation Space
 - Administrative Offices, etc.

Constitutional Amendments: Class-size

Facilities Inventory for Class Size Reduction Analyses

- Define Instructional Spaces
- Certification by Districts
- Routine Updates and Edits by Districts
- On-site Verification and Edits by DOE

Constitutional Amendments: Class-size

10 Design Codes by Instructional Space	Average Sq. Ft
1. Standard Classrooms	867
2. Skills Labs	925
3. Exceptional Student Education	900
4. Science	1,148
5. Art/Music	1,337
6. Resource	542
7. Vocational Education	1,573
8. Physical Education (excludes gym)	1,542
9. Media	586
10. Other	2,055

Constitutional Amendments: Class-size

Facilities Inventory for Class Size Reduction Analyses

- Calculated Number of Classrooms Needed Using 90% Utilization Factor
- Determined Number of Classrooms Needed to Reduce by Two
- See Attachment I

Constitutional Amendments: Class-size

Interim Report Conclusions

(Classroom Capacity Estimate)

- Facilities space need is not as great as once perceived
- Interim Report shows the state needs 2,615 classrooms to reduce each district's class size average by 2 next year.
- # of classrooms needed varies greatly by district, (45 school districts do not show need for additional classrooms while the remaining 22 range from a low of 3 in Charlotte county to a high of 987 in Dade County).

Constitutional Amendments: Class-size

2002-03 Benchmark Data

(Capture how classrooms are being used and actual class size)

- Beginning this month, student and staff databases were expanded to collect data elements needed to determine school district compliance with class size reduction requirements.
- Each student and teacher is reported by course and by classroom. The classroom is identified by its official facilities inventory number.
- Each October and February, school districts will report the expanded data during their regular student surveys.
- The expanded data will provide actual classroom size for each course taught in every school in the district.

Constitutional Amendments: Pre-K

Voluntary Universal Pre-K

Every four-year-old shall be offered a high quality pre-kindergarten learning opportunity by the state no later than the 2005 school year. This voluntary early childhood development and education program shall be established according to high quality standards and shall be free for all Florida four-year-olds without taking away funds used for existing education, health, and development programs.

Constitutional Amendments: Pre-K

Legislative Questions and Issues

- **Governance**

- Who will establish policies governing existing school readiness and new voluntary universal Pre-K programs?
- Who will be the lead agency?

- **Time Factor**

- What needs to be addressed this year?
- What should be given further study and consideration?

- **Program Design and Standards**

- What should be included in the broad program design?
- What type of accountability measures should be developed?

Constitutional Amendments: Pre-K

Questions and Issues (Continued)

- **Delivery Systems**

- How will private providers and local school districts be affected by new program standards or regulatory processes?

- **Funding**

- What will be the costs associated with the new program?
- How will the funds be allocated?
- How will funds flow from the state to individual providers?
- What is the current baseline for funding existing programs?

Constitutional Amendments: Pre-K

Proposed Senate Select Committee Recommendations

- Utilize the current system as the baseline, but determine where improvements can be made (specifically at the local level).
- Require a study to be conducted on any modifications needed to improve the capacity of the current system.
- DOE should recommend options and recommendations for program curriculum by the 2004 session.
- A system of regular audits should be conducted to ensure efficient measures are used and fraud is identified.
- The new Pre-K program should have participation from local school districts and private providers to ensure parental choice.

Constitutional Amendments: Pre-K

House Draft Proposed Committee Bill

- Supports an integrated and seamless system of school readiness
- Identifies that the current system has shown indications of inefficiency and waste at both the state and local level
- Requires a joint interim study conducted by the Office of Program Policy Analysis and Governmental Accountability (OPPAGA), the Auditor General, and the State Board of Education (SBOE) to the Legislature and Governor by December 31, 2003:
 - OPPAGA shall re-examine the existing governance structure to identify best practices and recommend a new funding formula
 - Auditor General shall conduct an audit to identify waste, inefficiency, financial records, safeguarding of assets, etc.
 - SBOE shall identify the full spectrum of parental choice options while ensuring there are no options for voluntary Pre-K programs in a school graded “D” or “F”

Constitutional Amendments: Board of Governors

Board of Governor's

A local board of trustees shall administer each state university. Each board shall have thirteen members dedicated to excellence in teaching, research, and service to community. A statewide governing board of seventeen members shall be responsible for the coordinated and accountable operation of the whole university system. Wasteful duplication of facilities or programs is to be avoided. Provides procedures for selection and confirmation of board members, including one student and one faculty representative per board.

Constitutional Amendments: Board of Governors

“Recommend Amendment 11 Implementing Language”

(Sponsor’s Senators Constantine and Representative Mealor)

SB 536, 1520 and HB 519

- Creates the Board of Governors in Florida Statutes consisting of seventeen members. Fourteen members are appointed by the Governor.
- Establishes a board of trustees consisting of thirteen members to administer each university. Each board shall consist of six citizen members appointed by the governor and five citizen members appointed by the board of governors.

2003 Legislative Agenda

Legislative Priorities

- Quality Teachers and School Administrators
- Education Practices Commission
- Postsecondary Access for ESE students
- Student's Education/Parent & Family Involvement
- K-20 Accountability
- Charter School Accountability
- FCAT Confidentiality



2003 Legislative Agenda

#1: Increasing the Supply of Highly Qualified K-12 Instructors and #4: Improving the Quality of School Leadership at All Levels

“Quality Teacher and School Administrator”

- Enhances the teacher’s authority in handling disruptive students and recommend appropriate disciplinary action.
- Reforms teacher preparation program requirements and mandates minimum requirements for content of core curricula
- Creates the Teaching Fellows Program which provides stipends of \$5k and signing bonuses upon initial employment in either an A or B school, and stipends of \$5k for C schools or stipend of \$10k in D or F schools.
- Requires school boards to implement a salary schedule that establishes beginning teachers’ salary of no less than \$31,000.
- Requires school boards to designate differentiated categories of classroom teachers.
- Establishes an Executive Principal Incentive Program for school principals
- Simplifies educator certification requirements and streamlines provisions for mastery of general knowledge and subject area knowledge.



2003 Legislative Agenda

#1: Increasing the Supply of Highly Qualified K-12 Instructors and #4: Improving the Quality of School Leadership at All Levels

Education Practices Commission

This bill is aimed at making the operations of the Education Practice Commission (EPC) more cost efficient and strengthening disciplinary actions of the commission.

- Requires all certified educators and applicants for certification to have their current mailing address on file with the Bureau of Educator Certification, and to notify the bureau within 30 days of any change.
- Reduces the number of members required to serve on the EPC's disciplinary panel from seven to five. (which will reduce costs for travel, and administration of case review)
- Increases the period of time for which an educator's certificate may be suspended from 3 years to 5 years.
- Broadens the EPC's authority to discipline by clarifying circumstances under which the EPC may sanction an educator's certificate.
- Expands the circumstances under which the EPC can issue an order to show cause (rather than having to conduct an investigation and probable cause process) to include any violation of a final order of the EPC (rather than just a probation violation which is current law).

2003 Legislative Agenda

#3: Increasing Rates of Learning and Completion at All Levels **Postsecondary Access for ESE Students**

“Implement Select Recommendations of the Blue Ribbon Task Force”

- Provides for a waiver of the FCAT requirement for graduation for students with disabilities, whose IEP committee has determined that the FCAT does not accurately measure their ability, even with appropriate accommodations.
- Specifies that students must have the required courses and grade point average, and must have attempted the FCAT twice to be eligible for the FCAT waiver.
- Requires school districts to provide instruction to prepare students with disabilities for grade-to-grade progression and high school graduation.
- Clarifies that students with a certificate of completion may enroll in certificate career education programs.
- Allows any reasonable substitution of requirements for graduation, admission to public postsecondary education, study program admission, and entry into upper division. Requires the State Board of Education to adopt rules to implement this provision and to develop substitute requirements where appropriate.
- Requires the State Board of Education to review and report on acceleration mechanism courses.

2003 Legislative Agenda

#3: Increasing Rates of Learning and Completion at All Levels (continued) Student's Education/Parent & Family

“Promote Parental Involvement and Empowerment”

- Creates a program to promote parental and family involvement in all aspects of their child’s’ educational program and service choices.
- Schools will be required, within 30 days of a students enrollment in a public school, to provide the parents with information such as:
 - Parental rights to information regarding their child’s progress toward achieving state and district expectations for academic proficiency
 - Services available for parents and their children
 - Opportunities for parents
 - School choices such as charter schools, public magnet schools, alternative schools, home schools, etc.
 - Classroom and test accommodations available for children with disabilities
- The Department of Education shall develop and disseminate a checklist for districts to share with parents to guide their involvement in their child’s educational progress
- Establishes a parent response center to provide assistance to families

2003 Legislative Agenda

#5: Setting and Aligning Academic Standards at Every Level of the K-20 Education System and #7: Aligning Financial Resources with Performance Expectations at Each Level of the K-20 Education System

K-20 Accountability

“Create a K-20 Accountability System linked to Performance Funding”

- Creates a single, unified accountability system in compliance with the Federal, No Child Left Behind Act of 2001.
- Requires State Board of Education to adopt guiding principals for establishing state and sector specific standards and measures and to to adopt the guidelines required to implement performance funding and clarifies implementation schedule.
- Establishes December 4, 2004 as the date in which the Department recommends to the legislature the formula for performance funding that apply these accountability standards at every level of the k-20 system.

Amends portions of School Recognition Program:

- Establishes that Schools which do not receive a school grade may be eligible to participate in the School Recognition Program, based on other accountability measures approved by the State Board of Education.
- Establishes that if an agreement for how to spend the School Recognition Funds is not made by November 1st that one half of the School Recognition award is used for activities determined by School staff the other half must be used for specific purposes.

2003 Legislative Agenda

#7: Aligning Financial Resources with Performance Expectations at Each Level of the K-20 Education System

Charter School Accountability

- Provides Guiding Principles for the establishment and operation of charter schools, including a specific emphasis on reading
- Strengthens the charter school application process including specific information related to the school's financial plan for each year of the requested charter
- Requires charter's to participate in the state's accountability program, and requires all sponsors of charter schools to intervene for the purposes of improvement and/or imposing sanctions on under-performing charter schools
- Modifies the application deadline from October 1 to September 1
- Removes existing caps on charter school establishments
- Authorizes public universities and community colleges to sponsor charter schools either by themselves or in partnership with nonpublic postsecondary institutions
- Modifies the annual progress report requirements for charter schools
- Extends time SBOE has to review and decide application appeals from 60 to 90 days
- Abolishes the Charter School Review Panel and replaces it with the Charter School Accountability and Funding Authority to review the performance of charter schools and to recommend disbursements of PECO funds consistent with the results of the performance review

2003 Legislative Agenda

#8: Achieving World-Class, Nationally Recognized Institutions of Higher Learning by Improving Access, Funding, Performance and Accountability

Higher Education Funding

“Promote Tuition and Fee Flexibility Linked to Institutional Performance, Including Student Achievement”

- Modifies the Bright Futures Scholarship Program
- Modifies residency for tuition provisions
- Provides extended time for military deployed personnel to use the Bright Futures scholarship
- Amends the Florida Prepaid College Program
- Corrects omissions and glitches from the School Code Rewrite (for postsecondary education)

2003 Legislative Agenda

FCAT Confidentiality

“Ensure the confidentiality of the Florida Comprehensive Assessment Test”

- Clarifies law relating to what constitutes a “student record” and amends the definition to include the language; “all student examination and assessment instruments administered are not student records”. Therefore making these materials not subject to the same disclosure as other student records.
- Bill specifically includes any examination and assessment instruments relevant to requirements for high school graduation, the Student assessment program for public schools and student progression; remedial instruction; reporting requirements.
- Bill directs the Department of Education to submit a Study by December 31, 2003, on the feasibility of making available to parents previously administered copies of the FCAT, while still protecting the integrity of the test. This study is to include the approximate costs and a proposed timetable for implementation.



Department of Education



Florida Department of Education

Governmental Relations Office

K-20

