

Emergent Design and Development Legislative Update March 17, 2008

We have completed the first two weeks of the 2008 Legislative Session. It has become apparent that financial concerns will be the major issue of the session. Other Legislative priorities related to Education seem to be class size relief, world class standards, ethics in education, and anti-bullying.

While many other bills have been filed, it appears that few will pass. The legislators have been told that bills with economic impact will not be heard. It is expected that both the House and Senate will follow this guideline.

We have heard rumors that many Legislators would like to pass the budget early and get out of town.

Budget

Resolving the budget crisis is a two part issue. The first item which must be resolved is the passage of a budget reduction for the current year. Once the current budget has been amended, then the legislators must pass the 2008-09 budget.

The budget reduction for the current year has passed both Houses and the Governor has signed it without any vetoed items. This \$265 million reduction amounts to a 1.18% cut, but will have serious consequences for districts since it is so late in the year. The link to the final 2007-08 budget is:

<http://www.flSenate.gov/data/session/2008/senate/appbills/pdf/2007-2008%20FEFP.pdf>

There is also legislation which increases the amount of 2 Mil money that is discretionary for a district to use, if the district meets the requirement of law.

<http://www.flSenate.gov/data/session/2008/Senate/bills/amendments/pdf/sb2502AM310040.pdf>

The real bad news is that next year's budget will be considerably less. It appears that a cut of \$2 billion or more will be necessary to balance the budget. This number may grow as the result of future revenue estimating conferences. This reduction in budget will have a major impact on K-12 education. We expect that the base student allocation will be reduced and that districts will be funded at a level similar to the 2006-07 school year. This is a drastic thought when you consider the increases in employee salaries that have been implemented since then, as well as the increased costs of operation for utilities and gasoline.

There is a major difference between the Governor's office and the Legislature regarding the use of non-recurring funds to help balance the budget. The Governor would like to use some of the state's reserves, while the Legislature is not expected to agree with this strategy.

Class size

The Florida Senate and the House of Representatives are expected to draft legislation to mitigate the impact of the Class Size Constitutional Amendment in this tight budget year. We are positive that we will get a bill which will relieve school districts for both the 2008-09 and the 2009-10 school years. However, this will not change the Constitutional requirement for full implementation of the law in the 2010-11 school year.

With that in mind, districts must do everything in their power to continue to reduce the pupil teacher ratio in order to be in position to meet the 2010 mandate. Here is a link to the House of Representatives version of class size relief.

<http://www.fsba.org/userfiles/File/House%20CSR%20Draft.pdf>

World Class Standards

This may be the most far reaching bill of the session. The House has passed a proposed committee bill and the bill is being drafted. We will soon have a bill number. This bill will:

1. Direct the State Board of Education to review and replace the Sunshine State Standards with enhanced curricular standards.
2. Requires integration of skills to include critical thinking, problem solving, communication, reading and writing, collaboration, contextual and applied learning, technology literacy, and civic engagement.
3. Require the SBE to establish an expedited schedule for replacing the SSS.
4. Require DOE to notify districts of the dates of the following years FCAT dates.
5. Prohibit FCAT writing assessment earlier than the week of March 1 and prohibit other FCAT assessments prior to April 15.
6. Eliminate state required norm-referenced tests except in grades 3, 7, and 9.
7. Add Social Studies to subjects tested by the FCAT and add end of the year assessments in social studies at the high school.
8. Allow school districts to use up to 10% of textbook allocation for technology devices with digital or on-line content.
9. Prohibit school districts from suspending the regular program of curricula in order to administer practice tests or engage in other test-preparation activities for statewide assessment.
10. Prohibit a school district from using any Legislative appropriation for FCAT practice tests, sample test items, or practice workbooks.
11. Require the SBE to identify the core competencies that students are expected to learn for reading comprehension. Materials used to teach reading must incorporate content from other core subjects.

Ethics In Education

Senate Bill 1712 requires changes at the state and local level regarding hiring and termination of employees. This link will let you view the entire bill.

<http://www.flsenate.gov/data/session/2008/Senate/bills/billtext/pdf/s1712c1.pdf>

This Bill:

1. Establishes the list of crimes that would bar any individual (if convicted) from obtaining or keeping a teaching certificate and from any direct contact with students.
2. Prohibits school districts from entering into confidentiality agreements when terminating employees.
3. Requires the forfeiture of State retirement benefits for any employee who commits a felony against a child.
4. Establishes very strict screening, hiring, and termination policies for every instructional candidate.
5. Prohibits the providing of a favorable recommendation for an employee who resigns in lieu of termination. (also requires reporting of the termination of any employee to the DOE)
6. Establishes the sanctions, financial penalties, etc. for non-compliance. Failure to follow the mandates of this law could result in the loss of one year's salary by school superintendents and school board members.

Other Bills Of Interest

HB 669 and SB 790 are both working their way thru the Legislative process. These bills deal with anti-bullying policies. It appears that we will pass some form of legislation regarding this issue during this Legislative session.

HB 1409 could become an education "train". It has sections dealing with:

1. Changing the name of Broward Community College to Broward College.
2. Membership on School Advisory Councils.
3. Designation the Florida School Music Association as the governing nonprofit organization of music and music related activities.
4. Provides procedure for assistance to newly instructional staff whose contract may be terminated during the probationary period.
5. Revises certification requirements for athletic coaches.

SB 1908 revises The High School Grading System and expands it beyond FCAT data to include graduation rate, performance and participation in certain courses, postsecondary readiness, and includes added weight to the graduation rate of all eligible at-risk students.

SB 302 deals with the "baggy pants" issue. It has seen a great deal of activity in the Senate and possibly could become law. This bill passed the Senate on March 13 and will be sent to the House. <http://www.flsenate.gov/data/session/2008/Senate/bills/billtext/pdf/s0302.pdf>

SB 286 which deals with ESOL is moving thru the Legislative process and could easily become law. <http://www.flsenate.gov/data/session/2008/Senate/bills/billtext/pdf/s0286.pdf>

SB 242 deals with the opportunity to offer single gender classes.
<http://www.flsenate.gov/data/session/2008/Senate/bills/billtext/pdf/s0242c2.pdf>