

Emergent Design and Development
LEGISLATIVE UPDATE
FEBRUARY 18, 2008

Excitement is building in Tallahassee as we prepare for the 2008 Legislative Session which begins March 4, 2008.

Much of the news centers on the budget and as you have heard, the news is not good. So far, Legislators have filed over 200 bills pertaining to education. It is common that in years when money is an issue, there are many bills filed. And, usually in a year with national elections, few bills pass. We will keep you up to date and we will see if these trends continue.

OPENING LEGISLATIVE AGENDA

On March 4th, the opening day of the session, work will begin on a budget proposal to reduce the current 2007-08 budget. Early indications are that over \$600 Million will be cut from the budget. If this happens, there is very little chance that education will be held harmless. We have heard that as much as \$300 Million will be cut from the education budget. This is expected to hit school districts hard since only about 2 months will remain in the school year. March 12, 2008 is the date set for a final vote on the reductions.

2008-09 LEGISLATIVE BUDGET

Tax revenues are down, the real estate market is depressed, and other revenues appear to be shrinking. The bottom line is that the Legislature is expected to work out a budget which reflects \$2 Billion less than the reduced 2007-08 budget which will pass on March 12.

The Governor's recommended budget was approximately \$70 Billion (which is less than the prior year budget of \$70.9 Billion). The total Education part of the budget for K-university makes up \$33.5 Billion of the Governors request. K-12 is 68.6% of the total education budget. I mention these numbers to reinforce the fact that if the overall budget is reduced \$2 Billion, we expect education to lose approximately \$1 Billion and K-12 to face a reduction of approximately \$668 Million.

Many Legislators were concerned that the Governor increased the revenue side of the budget by using reserves and counting on increased lottery and gambling money. The leadership in the House has indicated that they were unwilling to do either of these things.

The Governor did include \$138.5 Million to "hold harmless" school districts from the impact of Amendment 1. This is a clear message to the Legislature of his intent to honor his promise to school districts.

Another interesting aspect of the Governor's recommendation was that he rolled both instructional materials and transportation into the FEFP calculation. With that inclusion districts would receive an "increase" of \$394 per student. This is not likely to happen, and some educators are expressing the idea that districts may face an actual reduction in the amount of dollars per student.

It is early and we will continue to monitor all budget activity. Overall, it is safe to expect revenues to be down and significant reductions in the 2008-09 education budget.

ISSUES OF SPECIAL INTEREST

The Classroom Size Amendment continues to take center stage in educational issues. The enormous amount of money that it takes from the budget is impacting all areas of education. Since this is a Constitutional issue, there appears to be very little wiggle room. Superintendents, School Board Members, and Union Officials are all united in seeking solutions. One attempt appears to have a date

certain for the class size count and allow growth in classes for that year as long as no class exceeded the constitutional size by more than 5. Districts would be allowed to request hardship in special cases. One thing is sure, there will be many discussions before the issue is resolved.

World Class Standards is one of the goals of the State Board of Education. The Sunshine State Standards would be reviewed and revised into World Class Standards. These standards will be comparable to standards in leading educational systems in the world. The standards will be reviewed by more than one nationally recognized organization with K-12 experience. WCES will cover the following subjects and will be content orientated and knowledge based with the inclusion of problem solving and higher order thinking skills: Language Arts, Mathematics, Science, Social Studies Visual and Performing Arts, Health, Physical Education, World Language, and Technology Literacy.

Concerns regarding **Ethics in Education** will be reflected in SB 1712. Concerns have been expressed concerning the screening of potential school employees and the way terminations have been handled in certain situations. This bill would add consistency by establishing certain “disqualifying felonies”, which would exclude an applicant from employment in Florida. Reference checks will be mandated, districts will be prohibited from entering into any form of confidentiality agreement regarding termination, and all terminations will be reported to the DOE on a secure web-site available only to School Districts. The Education Practices commission is expanded and given expanded responsibilities. A one year salary loss is included to punish Superintendents and School Boards, if they knowingly make false or incorrect reports or fail to investigate reports of suspected or actual misconduct. All public officials or employees, not just educators, would lose their state pensions if convicted of certain sexual crimes with children.

Middle School Physical Education SB 610 would require 225 minutes per week of P.E. for students in grades 6-8. There is an appropriation of \$100 Million in the Governor’s budget.

TAX CAP INIATIVE The Taxation and Budget Reform Commission is considering a proposal to limit local government ability to increase tax revenue beyond the previous year’s tax base plus inflation and population growth. This would have an impact on taxes for schools. The proposal is aimed at governmental agencies that would realize “windfalls” when property values increase again.

Virtual Schools have made presentations in both houses of the Legislature as lawmakers look for ways to reduce some of the costs related to educational delivery. The Florida Virtual School has presented and Legislators are examining ways to reduce the financial loss to school districts as a result of student enrollment in this program.

Health Education would be an additional mandated high school subject taken for ½ credit. This would reduce the available elective course offerings available to a student by 1 semester.

Charter School Accountability is being examined by committees in both houses. The charters would have a higher level of accountability and their failure to meet certain standards would no longer have a negative impact on the district.

FEDERAL ACTIVITY TO WATCH

No Child Left Behind legislation has not as yet been reauthorized. There is currently a big push by the Executive Department to accomplish this. It will take a series of compromises which have been difficult to accomplish.

Medicaid changes would have a severe impact on certain district budgets. Currently some districts receive reimbursement for speech, physical, and occupational therapy given to students. They also receive payment for travel associated with these services. It appears that this reimbursement will no longer be available.

BILLS FILED SINCE LAST UPDATE

(please see attached list)