

Emergent Design and Development

END OF SESSION LEGISLATIVE REPORT 2014

The Legislative Session is over and while newspaper articles have supported the idea that Education was a big winner in the budget, Superintendents and School Board members are of a different opinion.

Until the last week of the Legislative Session, school districts actually had a share of an additional \$150 million allocation. At that point, both the House and Senate reduced their K-12 budgets by that amount. For the past two years, teacher salary has appeared as a separate line item in the K-12 budget. This year, the \$480 million allocation for teacher salaries was rolled into the regular K-12 budget.

Counting the Budget, there were 7 Major bills that passed the Legislature and will have significant impact on public education. We have also included a brief overview on 23 other bills.

BUDGET

After all the negotiations were complete, the Budget for the State was a record setting \$77.1 Billion. Education K-20 received \$25 Billion, of which \$18.9 Billion was designated for K-12.

Florida public schools are expecting 14,100 additional students next year. This helps explain the fact that even with this record budget, per pupil expense is still below the 2007 year funding level. The unweighted FTE is \$6,937.23.

Funding for Sparsity, Supplemental Academic Instruction, Exceptional Education, Juvenile Justice Education, Instructional Materials, Transportation, and Class Size Reduction all received increases.

The budget contained the same amount as last year for Reading, Safe Schools, School Recognition, and Classroom Supplies.

A complete summary of district funding can be found on the House of Representative web site. To look at this, go to Online Sunshine, click on "My Florida House.gov." Scroll to the box labeled **FY 2014-2015 Budget**. Under Conference Reports, click on **HB 5001 Florida Education finance Program** and you will find the 48 page report.

SB 850

This is by far, the bill with the most impact on education. With only hours left in the session, this bill and all the others attached to it appeared to have died without a vote. However, like the fictional Phoenix, they rose from the ashes and became an "Education Train", with 7 bills tagged together.

1. Middle School Reform

- Requires an early warning system and defines indicators
- Requires Industry Certifications
- Extends High School "hazing" policies to Middle School

- Requires specific Staff Development
- Requires a web based performance support system
- Changes requirements for in-service plans
- Numerous other requirements

2. Juvenile Justice Education

- Requires DOE and DJJ to collect and report performance and cost data
- Requires multi agency plans for career and professional education, must address virtual delivery
- Requires career readiness and exploration opportunities
- Requires truancy and drop-out prevention services at day treatment centers
- Requires that the School District and DJJ, develop individual transition plans for student to return to home/school

3. CAPE Career and Professional Education

- Requires the notification of students and parents of the estimated savings from a student earning post-secondary education credit prior to high school graduation
- Required the DOE to identify Digital Tool Certifications that indicate a students' level of skill
- Requires School Districts to offer CAPE Digital Certificates to Elementary and Middle School students
- Requires School Districts to offer CAPE Certificates at the Middle School and High School and the district receives bonus FTE
- Beginning in 2015, students with disabilities must be able to earn CAPE certification
- Creates CAPE innovation courses
- Creates CAPE acceleration courses
- Provides for district to receive bonus points for students that complete certifications on Funding List

4. Collegiate High Schools

- Requires Florida College System Institutions to contract and provide programs for students in every school district in their service area
- Requires that the programs be at least a full year in grade 11 and 12 and must earn industry certifications or 30 credit hours toward a degree
- If the service area institution has not provided the collegiate program by 2015-16 school year, other institutions may provide the service (other institutions broadly defined)
- Students must sign a performance contract
- The State Board may withhold funds from Districts or Institutions that do not comply

5. Florida Personal Learning Scholarship Accounts

- A program for students with specific disabilities which are outlined in law
- Program begins January 2015
- Program is not open to DJJ students, Public School Enrollees, or participants of other state scholarship programs

- Expenses can be for curriculum, instructional materials, specialized services, private schools, tutoring, virtual education, Florida Prepaid , or contractual services with School District
- Students eligible up to age 22
- Establishes School District responsibilities
- Establishes Private School eligibility requirements
- Establishes DOE and parental obligations
- Provides that administration of the program is thru a Scholarship Funding Organization (SFO), which will establish accounts, notify parents of receipt of funds, and verify expenses, etc.
- The Auditor General will conduct annual operational audits of accounts and records of SFO.

6. Expansion of the Corporate Tax Scholarship Program

- Raises the income eligibility to 260 % of Poverty Level (approximately \$62,000)
- Removes the requirement that students be in public school the prior year
- Requires F.S.U. Learning Institute to compare test results between private and public schools for participating students
- Provides opportunity to transfer Tax Credits
- SFOs will give priority to children in foster care and whose household income does not exceed 185% of poverty level

7. Other Issues

- Requires the Commissioner to annually report on student access to fine art courses
- Disabled Student Impact
 - Repeals Special Diploma
 - Requires a “transition to post-secondary” for any student with I.E.P.
 - By age 16, the students I.E.P. must reflect students’ desire for Certification of Completion or High School Standard Diploma
 - Requires Florida Prepaid to study methods of withdrawal from program or accelerated payment for disabled students
 - Requires District develop new pathways to diploma for disabled students
 - Requires that any change to an I.E.P be signed by the parent
- Reinstates Drivers Education as an online course to satisfy virtual graduation requirement
- 4th graders promoted for good cause exemption must take intensive reading instruction
- Students may not be retained in 3rd grade more than once

SB 1642 EDUCATIONAL ACCOUNTABILITY

- Establishes definitions of
 - achievement levels 1-5
 - learning gains
 - Student Performance
 - Defines Achievement Levels 3, 4, and 5 as passing
- Defines the school grading system for Elementary, middle School and High School and clarifies that there will be school grades next which will be used to establish a baseline, without penalties
- Exemptions from student assessments established as :
 - Medical complexity, by a physician
 - 1 year exemption by Superintendent
 - 1-3 year exemption by Commissioner
 - Permanent exemption by Commissioner
- Specifies provisions that must be included in Commissioner's report of the State System
- Restates the requirement for EOCs in all subjects and the use of Student Growth model and the requirement that in 2015-16 student performance must be part of teacher evaluation

SB 864 INSTRUCTIONAL MATERIALS

- Clearly states that it is the "constitutional" duty and responsibility of the School Board to select and provide adequate instructional materials
- Maintains the State System of textbook selection and adoption (allows DOE to charge fee)
- Allows School Board to develop their own selection/adoption program by adopting rules and criteria for the process
- Districts must notify parents of the ability to access child's instructional material
- Districts must make available sample copies of all instructional materials
- School Boards must adopt policies regarding parental objections for specific instructional materials
- If protest is heard, the decision of the School Board is final
- Establishes that 2014-15 as the year that districts may use 50% of instructional materials allocation or all of the allocation for the purchase of digital or electronic materials

HB 7031 EDUCATION (Huge Bill with multitude of issues)

- Repeals terminated or unfunded programs and clarifies changes required by SB 1076
- Clarifies online course requirement
- Changes requirement for charter school training from "at application" to "after approval"

- Confirms that the Alg.1 and Geometry final constitute 30% of the course grade and students must pass Alg. 1 to receive a regular Standard Diploma
- Clarifies that Industry Certification will not substitute for Alg. 1, Biology 1, or Geometry
- Students that earn the required credits for graduation but fail the required assessments or fail to obtain a 2.0 GPA will receive a certificate of completion
- Adds passing of Geometry EOC to the requirement for a Scholars Diploma
- Students who complete AP, IB, or AICE in biology or U. S. history and earn college credit do not have to take the respective EOC

HB 5101 EDUCATIONAL FUNDING

- Establishes a one year moratorium on new baccalaureate programs at Florida Colleges
- Requires the DOE to develop a five year plan strategic plan for establishing Florida Digital Classrooms by October 1, 2014
- The digital classroom plan must include minimum protocols and parameters for the state/districts to meet statutory requirements and timelines for instruction, learning, assessments, and accountability
- Digital classroom plan must include:
 - Integration of technology into the classroom teaching and learning to assist in improving student performance outcomes
 - Minimum technology, including specifications for hardware, software, devices, networking, security, bandwidth, and guidelines for the ratio of students per device
 - Professional development and training
 - Types of digital tools and resources that can assist district instructional staff in the management, assessment, and monitoring of student learning and performance
- Adds the Florida Digital Classrooms allocation to the funds that charter schools are eligible for
- Requires the district to notify parents of the student's right to choose and participate in virtual instruction programs (each year)
- Requires Public Schools to provide computer science opportunities such as computer coding, computer programing, etc.
- Revises provisions relating to dual enrollment
- Creates Florida National Merit Scholar incentive program (free enrollment in Florida)
- Expands the extra hour of reading requirement to lowest 300 schools
- Establishes the Digital Classroom Allocation (\$250,000 per district, rest of \$40 Million distributed on share of unweighted FTE)

OTHER EDUCATION BILLS OF INTEREST BUT OF LESSER IMPACT

HB 9 – Requires the 2016 regular legislative session to convene on January 12, 2016, instead of March.

HB 23 – Relates to “canned or perishable food distribution”; expands the protection of law to schools as a “donor”; protects from court and criminal liability relating to any harm caused by such donated food.

SB 188– Requires annual notice to parents regarding student records; sets penalty for failure to comply; forbids certain information and clarifies “biometric” information definition; requires subpoena for certain records; requires DOE to develop student ID for students separate from Social Security Number. “There will be local issues as a result of this bill, especially concerning directory information”.

SB 238 – Creates exemptions from public records for names of spouse and children of current or former public defenders and certain other officials.

SB 260 – The bill allows an unaccompanied, certified homeless youth, 16 years of age or older to consent to medical treatment for them without court consent. (Defines medical treatment)

HB 313 – Provides requirements for School Boards when establishing gender specific schools. Requires special professional development & provides accountability requirements

HB 337 – Relating to “Florida Teacher’s Classroom Supply Assistance Program”; establishes that districts shall calculate an identical amount for each classroom teachers who is determined eligible on July 1, sch board may provide his/her total share by August 1; any teacher determined eligible after July 1 the board or charter school shall provide the teacher with share by September 1.

SB 358 – Clarifies the definition of “Athletic Coaches”, and requires an independent sanctioning body to conduct level 1 screening of all their coaches.

HB 433 – Relates to pre-service field experience for teachers; restates and clarifies the methods by which a candidate for educator certification may demonstrate mastery of subject, general knowledge, professional preparation and educator competencies; grants flexibility in assigning new teachers to D & F schools; and allows Charter School Consortium to create professional development system. The bill also establishes requirements for instructional personnel in another state who supervise teacher preparation students enrolled in a Florida online or distance program.

HB 485 – Establishes “Stop Harassing Underage Teen Act”. It reclassifies specific sexual offenses committed by educators.

HB 487 – Requires the Dept. of Ag, U.F. and F.A.M.U. to provide SBE with industrial certifications for Farm industry. Requires DOE, to use Dept. of Ag., to develop rules for implementing new industry certifications.

HB 561 – Pertains to dependent (disabled) children's ability to have an attorney. The court will have ability to appoint an attorney to provide comprehensive services to the child. Attorney fees will be limited to \$1000 per year, per child. (\$4.2 Million budgeted in GAA)

SB 648– Amends provisions relating to exemption for Public records and requirements for K-12 Education records.

SB 656– Creates an exemption from Public Records for certain information held by the Department of Education during active investigations of allegations of testing impropriety.

HB 781– Requires that public notices which are posted in newspapers, must also be posted on the paper’s website; states that the public cannot be charged a fee or be required to register to view the postings on website. Sets time limits for keeping this online information available

SB 934/936/938/940 – Series of Revisers Bills which deletes obsolete, redundant language, out of date, or clarifies intent of previous legislation.

HB 953– Revises criteria for evaluating bids (competitive, invitation to Bid, invitation to negotiate). All requests for proposals must include consideration of prior relevant experience of vendor.

SB 1524– Establishes the “Florida Information Protection Act of 2014” relating to personal information of citizens; requires notice be given to affected customers when a breach of security effects more than 500 individuals in the state; notice must be given within 30days of breach unless delayed by law enforcement; breach would include any school district data held by a vendor.

HB 7015 – Outlines provisions for the establishment of a Charter school on a military base. It also encourages the commissioner and military commanders to collaborate to increase military family student achievement.

HB 7029– Relates to “Code of Student Conduct”, defines “simulated firearm”; states that the severity of consequences imposed on a student must be proportionate to the severity of the infraction; students are now subject to disciplinary action when simulating a firearm or weapon substantially disrupts student learning; provisions of bill must be incorporated into the district code of student conduct.