

FSBA

BOARDER-LINE

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Florida School Boards Association

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Legislators held their final meetings of Standing Committees this week. Although work will continue by to finalize the budget and to work toward a agreement on property tax relief, for the most part, the remainder of the session will be spent in floor debate of legislation in the House and Senate Chambers. Once the Legislative Session has concluded, we will compile our 2007 Legislative Session Summary that will provide an in depth analysis of the education budget and education related legislation that has been passed.

Education Budget Update

The Education Budget Conference Committee has successfully resolved nearly all of the differences between the House and Senate budget proposals. All FEFP and categorical issues are settled, but three non-FEFP items have been bumped up to be resolved by House and Senate Appropriations Chairs – Representative Ray Sansom and Senator Lisa Carlton. The three remaining issues relate to funding for the DCD Transition Supplement, funding for an independent DCD study, and funding for the Take Stock in Children Florida Pre-paid Program. In terms of FEFP and categorical funding, the compromise budget provides a total of \$19.3 billion, an increase of more than \$1.23 billion (6.84%). Funds per unweighted FTE total \$7,305.79, an increase of \$455.36 (6.65%). The budget retains the current Required Local Effort millage rate of 5.010 mills and maintains current policies with respect to the Discretionary and Supplemental Discretionary millage. Other notable aspects of the budget include an increase of \$5 million in the Sparsity Supplement for a total of \$40 million, an increase of \$1.8 million in Safe Schools funding for a total of \$77.15 million, and the creation of a Department of Juvenile Justice Supplement for a total of \$12.53 million. Once all remaining budget issues are resolved, FSBA's 2007 Legislative Session Summary will provide detailed information and analysis of the education budget. In the meantime, attached is brief FEFP budget run that provides state-wide and county-by-county total funding information.

Merit Award Program (MAP) Update

SB 1226 relating to the Merit Award Program has been signed into law by Governor Crist. Among other provisions, SB 1226 lists three alternatives available to a school district for use of the funds appropriated for the 2006-07 school year: to fund a STAR plan; to fund a performance pay plan pursuant to s. 1012.22, F.S.; or to fund a MAP plan. Several school districts raised questions with regard to the timeframe for districts to adopt a MAP Plan in order to be eligible for funding for the 2006-2007 school year. In response, Senator Don Gaetz and Representative Joe Pickens have written a letter to Commissioner Jeanine Blomberg to clarify that the deadline for having a MAP plan in place is September 1, 2007. Attached is the letter from Senator Gaetz and Representative Pickens.

Property Tax Reform Update

The Property Tax Conference Committee has made very little progress in resolving the differences between the House and Senate property tax reform plans this week, further fueling speculation that a special session may be necessary to address this issue. Stressing the importance of providing property tax relief during this session, Governor Crist has outlined his own proposal for reform. The Governor's proposal calls for an immediate roll-back of local government revenue caps to 2003 levels, with an allowance for inflation and growth. In addition, the Governor has proposed constitutional amendments to provide an additional homestead exemption of \$25,000, to make Save Our Homes portable, to provide assistance to first-time home buyers, and to provide an exemption on the first \$25,000 of businesses' tangible personal property. Except for the exemption on tangible personal property, would not affect funding for schools. The Governor's proposal would provide a reduction in the property tax burden of \$34 billion over five years. By comparison, the Senate Plan would provide approximately \$15.3 billion in relief over five years, and the two House Plans would provide either \$23.5 billion or \$47.4 billion over five years (depending upon which plan is considered, with the \$47.4 billion in property tax relief off-set by an increase in sales tax). Attached is the press release announcing the Governor's proposal. Also attached is a comparison of major components of the House and Senate plans.

Bill Action This Week

SB 108 – Minority / Underrepresented Students by Hill (HB 403 by Reed)

The bill establishes the Minority and Underrepresented Student Achievement Council to recruit students for AP courses, identify each minority or underrepresented student who is eligible to take AP courses, and examine existing best practices for narrowing the achievement gap between minority or underrepresented students and non-minority students. The bill provides for the Council's duties and requires an annual report, and requires DOE to provide the Council with administrative support. School districts are also required to annually discuss at a school board meeting the number of students who have taken at least two AP courses by 11th grade by ethnicity, gender, and zip code.

STATUS: In Messages to the House (HB 403 on Second Reading)

HB 187 – Student Safety by Vana (SB 2088 by Aronberg)

The bill establishes the "Diana Kautz Student Safety Sponsors Act." to allow a district school board to adopt policies providing for private sponsorship for the installation of Type 2 seat belts on newly purchased school buses. The bill provides that any person or business entity may be a sponsor by paying a fee prescribed by local school board policy. Of the proceeds collected from the fee, up to 5% may be used for the cost of an advertising agent, up to 45 percent may be used for the cost of the seat belt assemblies and installation, and the remaining funds must be deposited into the state General Revenue Fund to be used for transportation services. Upon request of the sponsor, the school board must place signage on the school bus acknowledging the sponsor. The bill specifies that no liability may accrue to any person or business entity because that person or entity is a sponsor of seat belt assemblies.

STATUS: On Second Reading (SB 2088 passed Education PreK-12)

HB 355 – Florida Teachers Lead Program Stipend by Vana (SB 450 by Rich)

The bill increases the number of teachers eligible to receive the stipend, by including prekindergarten teachers who are teaching students funded through the FEFP, charter school teachers, and job share teachers.

STATUS: In Messages to the Senate (SB 450 in Budget Conference)

HB 461 – High School Athletics / Drug Testing by Llorente (SB 2200 by Villalobos)

This bill establishes a one-year, random, anabolic steroids testing program for students in grades 9 through 12, who participate in football, baseball, and weightlifting. The program is to be administered by FHSAA during the 2007-2008 school year. Public and private schools must participate in the program as a prerequisite to FHSAA membership. FHSAA must submit an annual report to the Legislature. **STATUS:** On Second Reading (SB 2200 on Second Reading)

HB 465 – Corporate Income Tax Credit Scholarship by Legg (SB 1212 by Wise)

This bill expands the eligibility criteria for the Corporate Tax Credit (CTC) program to add students who were counted as full-time equivalent students at any time during the previous state fiscal year in a Department of Juvenile Justice educational program and students who have been placed in foster care. For the purpose of continued participation in the CTC program, the bill defines family income for a foster care student as the income that is considered in determining whether the student qualifies for free or reduced-price meals under the National School Lunch Act.

STATUS: On Second Reading (SB 1212 passed Children, Families, & Elder Affairs)

HB 511 – High Performing School Districts / Two Mill Levy – by Kendrick (SB 574 by Bennett)

The bill provides for designating academically high-performing school districts, which must meet the specified criteria. The designation may be retained for 3 years if the district complies with all the initial eligibility criteria and earns at least a grade of "A" for 2 years within a 3-year period. The bill also authorizes school districts to spend two mill capital outlay funds on property and casualty insurance if the district certifies to the Commissioner that all of the district's instructional space needs for the next five years can be met from capital outlay sources that the district reasonably expects to receive during the next five years. Also, the bill requires the publication of the district school board's notice of its intent to levy additional taxes for capital outlay purposes to add property and casualty insurance premiums to the list of projects to be funded.

STATUS: On Second Reading (SB 574 on Third Reading)

HB 575 – Bullying / Harassment by Thompson (SB 114 by Baker)

The bill prohibits bullying and harassment of any student or employee of public K-12 educational institution. The bill requires DOE approval of school district's policy and school district compliance with reporting procedures as prerequisites to receipt of safe schools funds.

STATUS: In Messages to the Senate (SB 114 passed Criminal Justice)

HB 645 – Growth Management by Hays (SB 680 by Dockery)

The bill revises eligibility criteria for High Growth District Capital Outlay Assistance Grant Program and revises provisions for allocating funds provided by General Appropriations Act to Public Education Capital Outlay & Debt Service Trust Fund

STATUS: In Returning Messages to the House (SB 680 substituted for HB 645)

HB 689 – Personnel / Increase in Time by Culp (SB 414 by Wise)

The bill increases the period of time in which members of FRS who are employed as certain administrative personnel in grades K-12 may participate in DROP.

STATUS: On Second Reading (SB 414 passed Governmental Operations)

HB 965 – Career and Professional Education by Kendrick (SB 1232 by Gaetz)

This bill creates the Florida Career and Professional Education Act to provide a statewide planning partnership between business and education communities. The bill requires school districts to develop strategic five-year plans that include provisions for at least one academy to be operational in the school district at the beginning of the 2008-2009 school year. The bill also amends the FEFP to provide a bonus weight for the funding of students enrolled in career and professional academies that result in industry certification.

STATUS: On Second Reading (SB 1232 in Messages to the House)

HB 967 – Physical Education by Weatherford *(SB 2746 by Constantine)*

This bill requires the Commissioner to provide professional development in physical education for physical education teachers, elementary and secondary school teachers whose assignments include physical education courses, and developers of physical education curricula. The bill defines "physical education," and requires each district school board to provide 150 minutes of physical education each week for students in kindergarten through grade 5. Such instruction may be provided by any instructional personnel as defined in s. 1012.01(2), regardless of certification, who are designated by the school principal. The bill requires DOE to review and revise the Sunshine State Standards regarding physical education in 2007-2008.

STATUS: In Messages to the Senate *(SB 2746 passed Education PreK-12)*

SB 988 – High Risk Offenders by Argenziano *(HB 7103 by Safety & Security Council)*

This bill makes several changes to the background screening requirements contained in the Jessica Lunsford Act. The bill continues to subject certain school contractors to Level 2 background screenings and clarifies that contractors who contract directly with schools must also be screened. The bill provides a list of offenses that disqualify a noninstructional contractor from having access to school grounds when students are present. The bill exempts a variety of noninstructional contractors from fingerprint-based background checks.

STATUS: In Messages to the House *(HB 7103 on Second Reading)*

SB 1238 – World Class Education Standards by Gaetz *(HB 7151 by Schools & Learning)*

The bill requires the State Board of Education to systematically review and replace the Sunshine State Standards with new World Class Education Standards.

STATUS: Temporarily postponed in Education PreK-12 *(SB 7151 in Messages to the Senate)*

HB 1569 – Charter Schools / DROP Participation by McKeel *(SB 2744 by Alexander)*

This bill authorizes charter school instructional personnel employed in grades PreK - 12 to participate in the Deferred Retirement Option Program (DROP) extension if they are funded through the FEFP, and the governing board of the charter school approves the extension. The bill also provides a DROP extension for prekindergarten instructional personnel in the public school system funded through the FEFP.

STATUS: On Second Reading *(SB 2744 passed Governmental Operations)*

SB 1948 – Retirement/Re-employment by Posey *(HB 861 by Patterson)*

The bill revises the reemployment after retirement restrictions of FRS to permit reemployment during the first year after termination of employment and retirement for up to 780 hours.

STATUS: Passed Governmental Operations *(HB 861 on Second Reading)*

SB 2130 – Exceptional Students / OPPAGA Study by Constantine

The bill requires that, before placing an exceptional student with a disability in a private residential care facility that is located in a school district other than the student's assigned district, the Department of Children and Family Services (DCF) or the Agency for Person with Disabilities (APWD) must notify the student's assigned district and the district in which the facility is located. Additionally, the bill requires agencies to attempt to ensure that school districts enter into an agreement for paying the cost of placement, including the cost of educational services that exceed the funding generated in the FEFP. If the districts are unable to reach an agreement, the bill specifies that the cost of providing ESE services will be paid by the school district where the student's parent resides. In the case of a student who no longer resides with the parent, the school district where the student last resided with the parent must pay for the ESE services. The bill requires the OPPAGA to evaluate the practices of agencies and district school boards in providing educational services to exceptional students with disabilities when they place them in a private residential care facility.

STATUS: On Second Reading

SB 2458 – High School to Business Career Enhancement by Crist *(HB 1161 by Ambler)*

The bill requires each district school board to adopt policies and procedures for HS to Business Career Enhancement Program through which student internships shall be offered in each school district. The bill provides for the number of internships employers may offer, requires background screening of participating employer personnel, and clarifies that employment of student intern is not employment for purposes of unemployment compensation.

STATUS: Passed both chambers and ordered Enrolled as HB 1161

SB 2512 – English for Speakers of Other Languages by Wise *(HB 1219 by Carroll)*

This bill revises in-service requirements for ESOL teachers to specify that reading teachers must have 60 in-service hours or the equivalent.

STATUS: On Second Reading *(HB 1219 on Second Reading)*

SB 2598 – Governor's School for Science & Technology by Wise *(HB 1371 by Altman)*

This bill creates the Governor's School for Science and Technology to provide accelerated science, math, and technology curriculum to qualified students in grades 9-12 and also provide summer training programs for teachers. The school would be located in Brevard County and be operated by the Florida Virtual School (FLVS). Enrolled students must reside on the campus.

STATUS: Passed Education PreK-12 *(HB 1371 passed Schools & Learning Council)*

HB 7141 – Improving Graduation Rates by Schools & Learning Council

The bill revises provisions regarding school district responsibilities with respect to exit interviews when a student seeks to terminate school enrollment. The bill creates the Transition Success Program to ease school transitions, reduce dropout rates, and provide information regarding certain opportunities. The bill adds graduation rate and dropout rate to the evaluation criteria for school grades for certain schools.

STATUS: In Messages to the Senate

HB 7145 – Scholarship Programs by Schools & Learning Council

For the Corporate Income Tax Credit Scholarship (CITC) program, the bill revises the program by adding that the sibling of a renewing student will be eligible as a first time CITC recipient as long as the household income does not exceed 200% of Federal Poverty Level, increasing the amount of the scholarship awards available to students in middle and high school, requiring a scholarship funding organization (SFO) to annually expend at least 75%, rather than obligate 100%, of the eligible contributions made in that fiscal year for scholarships, and clarifying that a taxpayer who has made or who makes an eligible contribution to a SFO will not lose the tax credit retroactively if a court holds any provision of s. 220.187(5), F.S., unconstitutional. For the McKay Scholarship Program, the bill creates an exception to the requirement that a scholarship recipient have regular and direct contact with his or her teacher at the school's physical location. For the exception to apply, the student's doctor must annually provide a sworn statement indicating that the student's welfare or the welfare of other students in the classroom will be jeopardized if he or she is required to attend class at the school's physical location. The bill provides that a student, who received a McKay scholarship in 2005-2007, but who became ineligible because he or she could not meet regular and direct contact requirements, is eligible for a scholarship in the 2007-2008 school year.

STATUS: On Second Reading

HB 7155 – Professional Development by Schools & Learning Council

The bill revises provisions relating to educator professional development, teacher preparation programs, and teacher certification requirements. The bill requires designation of lead teachers and master trainers and also requires a study of teacher preparation programs and teacher retention rates. The bill authorizes dismissal of certain administrative personnel and revises probationary period for certain instructional staff.

STATUS: In Messages to the Senate

***** IMPORTANT REMINDER *****

After the Legislative Session, FSBA will be conducting our regular Legislative Review Workshops to provide you with a comprehensive review of all the legislation that was passed and a complete budget analysis. Please note the date, time, and location of these workshops and plan on attending the workshop most convenient for you. Contact the FSBA Office for more information.

Wednesday, May 16
4:00 - 7:00 p.m. (CST)
Panhandle Area Educational Center
753 West Boulevard
Chipley, FL

Friday, May 18
8:30 a.m. - 12 noon
Hilton Daytona Beach Oceanfront Resort
100 North Atlantic Avenue
Daytona Beach, FL

Wednesday, May 23
5:00 - 8:00 p.m.
Columbia County School District Auditorium
372 West Duval Street
Lake City, FL

Friday, June 15
10:00 a.m. - 12:30 p.m.
Grand Hyatt Tampa Bay
2900 Bayport Drive
Tampa, FL

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