

# Leaders

A Newsletter for Florida School Board Members

## Want part of \$147.5 million? Get your STAR plan in by Dec. 31

**W**hile school boards were able to dodge the State Board of Education's e-compensation plan for teachers until July 1, 2007, if they want part of the \$147.5 million that has been allocated for teacher rewards, they must submit a plan to the State Board by the end of this year.

A big headache for school districts had been the State Board's e-compensation plan designed to reward high performing teachers.

Implementing legislation for the 2006-2007 Appropriations Act specifically halts the Department of Education from moving ahead with e-comp until at least July 1, 2007, because proviso language in this year's budget establishes a new teacher compensation plan, Special Teachers Are Rewarded, or STAR for short. Since it's in proviso and not in legislation, the program would have to be renewed each year.

The Legislature allocated \$147.5 million for STAR and districts have until Dec. 31 to present to the State Board a compensation plan for rewarding teachers who perform well in the classroom as illustrated by how well their students do.

STAR funds will be allocated based on each district's proportion of the state total K-12 base funding, subject to

review by the State Board of each district's STAR plan. If districts don't file a plan by Dec. 31, they won't be eligible for STAR money. The State Board has final authority on whether a district's plan passes muster.

And remember: since this is a one-year allocation with no guarantee the money will be there for the 2007-2008 fiscal year, the teacher "reward" should be considered a bonus and not part of the base pay.

"The real problem for districts has been in developing performance assessments for non-FCAT teachers," said Dr. Max Schmidt, executive director of the Florida School Labor Relations Service. Dr. Schmidt is conducting workshops statewide for

districts on developing compensation plans.

More information on STAR is also available at the DOE website, <http://www.fldoe.org/STAR/>, where you'll find a sample STAR plan as well as a sample template districts can use to submit their plan. Here is DOE's STAR timeline:

- Beginning of 2006-07 school year, districts inform teachers of STAR and of the district's intention to submit a plan under STAR guidelines.
- Dec. 31 - Deadline for submitting a district-approved comprehensive STAR Plan to the State Board for approval.
- March 1, 2007 - Deadline for submitting a revised STAR Plan in the event the State Board determines a plan needs revisions.
- March 19, 2007 - Last State Board meeting during which a district approved STAR plan may be approved.
- April 1, 2007 - State Board determines allocation of STAR funds based upon approved plans. Recalculation of undistributed funds will be completed and those funds distributed as soon as possible after this date.
- June 30, 2007 - Districts must encumber funds for bonus payments to STAR recipients. Payments must be made to eligible instructional personnel at the next regular payroll action.

***"The real problem for districts has been in developing performance assessments for non-FCAT teachers."***

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# Leadership Calling

## Nation's longest-tenured teacher, Polk County's Hazel Haley, retires

“Children haven't changed,” says Miss Haley at nearly 90 years old, “but their world has.” And she would know. Retiring after 69 years in the classroom, the nation's longest-tenured public schools teacher has taught at Polk County's Lakeland High School for all but one of those years. In some cases she has educated three generations from the same family, and an estimated total of 13,000 students.

Miss Haley is engaging, with an infectious smile and a keen wit. “Life is a series of choices,” she tells her students, “and choices have consequences.” As a teacher of English literature she is known as a tough but fair grader and loves writing, Shakespeare above all. She refers to her students as her “children” and still knows them by name decades after they have graduated.

One of the things that makes Miss Haley so special is her rapport with her students. Even with 70-plus years between them, she remembers and appreciates the complexity of being a young person. She holds students to high standards and feels that those expectations produce results in the classroom. She comments that while the clothing and styles may change, she believes that each of “her children” is kind, caring and respectful at heart. Her legacy lives on in the hundreds of her former students who were inspired to become teachers themselves and still teach in Polk County.

— Fred Koehler, Polk County Public Schools



Hazel Haley

## Congratulations on 35 years

FSBA is pleased to announce that Jan Norris, executive administrative assistant, has completed her 35th year with FSBA. In addition, Karen Denson, director of board development, recently celebrated her 20th anniversary at FSBA.

## 200-plus school board seats up for grabs

According to figures compiled by FSBA, 210 school board seats are up for election this year, with 435 candidates seeking to fill those positions. Here are some other stats about this year's school board elections:

- 64 school board members have been re-elected without opposition.
- Three new school board members have been elected with no opposition.
- 34 current board members did not seek re-election.
- Incumbents at 10 school boards have no opposition.

School board races are non-partisan.

The primary election is Sept. 5 and the general election Nov. 7.

There are just two superintendent races—Leon County to fill the seat held by Bill Montford, who is the new CEO of the Florida Association of District School Superintendents, and Okaloosa County to replace Don Gaetz, who has won a Senate seat.

### Upcoming Events

**Sept. 7-9**  
FSBA Board of Directors Retreat  
West Palm Beach

**Nov. 28 - Dec. 1**  
FSBA Joint Fall Conference  
Grand Hyatt Tampa Bay, Tampa



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# Insurance crisis blossoms

**I**t's not getting any better out there for districts seeking property and casualty insurance. Some are urging a special legislative session, but that's unlikely, and definitely won't happen until after the November elections.

But legislators may want to wait and see what recommendations the newly created Property and Casualty Insurance Reform Committee develops before taking any action.

Gov. Jeb Bush named the 15-member committee last month. It includes several legislators and just one education-oriented official, Bill Montford, CEO for the Florida Association of District School Superintendents. Lt. Gov. Toni Jennings is the committee's chair. Legislators on the committee include Sen. JD Alexander, R-Lake Wales; Rep. Don Brown, R-DeFuniak Springs; and Rep. Dennis Ross, R-Lakeland. The rest of the committee includes business people representing insurance and banking, as well as Rockledge Mayor Larry Schultz.

Additionally, Governor Bush is to appoint insurance industry representatives to a technical advisory council to serve as a resource to the reform committee.

How bad is it? If you're a school board member, you don't need to ask. You know. For example, as Dr. Bill Vogel, Seminole County superintendent, explained it: "Last year, we had \$200 million in windstorm coverage and our premium was \$1.6 million. This year, we have \$25 million windstorm and we're paying \$3.2 million in premiums."

The Florida Educational Risk Management Association (FERMA) has developed some suggestions for the Florida Legislature, one being to establish a state catastrophic pool. It would be funded by school districts and the state with FEMA picking up the slack.

"The concept is that FEMA will step in at some point, but we don't know what that point is," said Dr. Vogel.

The "pool" concept is getting a lot of attention right now. The premiums that districts would normally pay would go into that catastrophic fund.

## Snapshots of Success



### Board vice chairman joins forces for school supply drive

Orange County School Board Vice Chairman Jim Martin joined forces with the Apopka Chamber of Commerce and A.C.T.I.O.N., a non-profit group that annually takes on the task of collecting school supplies for needy students in the Apopka area.

"It's important that each child has an opportunity to start the school year with the tools needed to succeed in the classroom," Mr. Martin said. "Many of our students need help in preparing for the new school term."

Calling his efforts "Fill the Bus - School Supply Drive," the school board member arranged to have a school bus parked in front of Porkie's Original BBQ in downtown Apopka in mid-July and later in the nearby Wal-Mart Supercenter parking lot to accept donations. The goal was to fill the bus with backpacks, notebook paper, pencils, rulers, crayons and any other supplies that students might need for school. Contributions of cash also were accepted.

A.C.T.I.O.N. takes the cash and works directly with a school supply distributor. By working directly with a distributor, the group is able to purchase more materials because the prices are cheaper than those in retail stores.

"The response from the people and businesses of Apopka has been overwhelming," Mr. Martin said. "This community truly is one that supports its schools and students and this supply drive is just one more example of that support."

Carol Johnson, Health and Family Services Division of Orange Community Action, said the supplies were distributed at a back-to-school fair held at a local community center. "We served 844 people last year," she said. Some 1,000 were expected to participate this year.



**Orange County School Board Vice Chairman Jim Martin, center, received help from his friends as he asked the community to "fill the bus." From left are: Terry Levesque, Apopka Chamber of Commerce; Steve White, Porkie's Original BBQ owner; Mr. Martin; Carol Johnson, Orange Community Action; and Bryan Nelson, a local insurance representative. (Photo courtesy The Apopka Chief.)**

# From the President

By SUE HERSHEY

## Thank you, legislators, for a great budget

I want to start off my first *Leaders* column with a big “thank you” to Florida’s legislators for adopting one of the—if not the largest—funding increases yet for our public schools.

This money will go a long way towards helping us pay our teachers better, as well as assisting districts in getting ready for the more stringent class size requirements. The 8.7 percent budget increase equates to about \$1.8 billion more for K-12. In addition, lawmakers allocated \$1.1 billion in Public Education Capital Outlay dollars, an unexpected amount since PECO only received \$350 million the year before.

That money will certainly come in handy because: unforeseen—or maybe we were just hoping that it wouldn’t happen—is the insurance crisis facing every Florida school district. Unfortunately, while that money will help pay the increased insurance costs, we’re still faced with paying more for even less coverage.

I’m sure this will be a key discussion topic when your directors meet in West Palm Beach next month for their annual Presidential Retreat. This is when we propose our 2007 legislative platform on which FSBA members will vote during our fall conference Nov. 28-Dec. 1 in Tampa. At that same retreat, we’ll also be mapping out the association’s short term goals for 2006-07 as well as updating our strategic plan.

Another big boost we got from our legislators this year is a return of co-teaching as a means to comply with class size. The State Board earlier this year had taken away that option. It’s a much-needed tool for districts, since class size compliance will be measured on a school-by-school basis starting this school year.

I do hope you have taken a few moments to thank your representative and senator for the fine work they did for public schools this year. A simple email is all it will take. So, if you’re near your computer now, send them a thank-you note. You can get their email addresses from the Online Sunshine website, <http://www.leg.state.fl.us>.

One more reminder: If you haven’t yet gotten involved in your county’s growth management policies, you need to start. New growth management legislation, again, thanks to the Legislature, gives school board members more control than ever before. You have been given the authority to provide for the children of future developments. You need to pay particular attention to your interlocal agreements.

We can’t continue to build schools based on the money you get from the state and your two mill money, which is why it’s so important that you work closely with cities and counties in the future.



Sue Hershey

Finally, this is an election year and I know many of you are up for re-election. I wish you well.

Thank you for allowing me the privilege to serve as your president this year. I am just an email away if you have any suggestions or comments: [sue\\_hershey@yahoo.com](mailto:sue_hershey@yahoo.com). I hope you’re planning to attend our fall conference in Tampa. We have a great one planned. See you there.

*Ms. Hershey, a member of the Martin County School Board, is the 2006-2007 president of the Florida School Boards Association.*



### Manatee superintendent receives Voyager Founder’s Award

Manatee County Superintendent Roger Dearing, center, has been named the first recipient of the Founder’s Award presented by Voyager Expanded Learning, provider of intervention and supplemental reading and math programs. The Founder’s Award goes to educators who, through the implementation of Voyager programs, achieve measurable gains in improving low-performing students and schools and helping to close the achievement gap.

The award was presented during FSBA’s Spring Conference in Tampa by Rolando Rodriguez, left, Voyager Florida regional president, and Archie Pazos, right, Voyager executive director. The Manatee County School District also received a \$1,000 donation from Voyager as part of the award.

# Special Report

## New law places charter school oversight in hands of an unelected, appointed board

**T**he state has started down the slippery slope of usurping a school board's authority to operate charter public schools. At least that seems to be one of the agendas behind HB 135 which was adopted by the Legislature this year and signed into law by Gov. Jeb Bush in June.

The bill has generated so much heat that FSBA's directors voted unanimously to enter into statewide litigation to combat it.

The legislation calls for establishment of an appointed Florida Schools of Excellence Commission. Final determination will be made by the State Board of Education, based on recommended appointees from the governor (three) and two each from the Senate president and House speaker. The State Board has until Sept. 1 to appoint the seven members to two-year terms. However, to provide staggered terms, the first go-around will include three members for one-year terms and four to two-year terms.

The first meeting of the new commission is to be no later than Oct. 1.

As defined by the new law, "The Florida Schools of Excellence Commission is established as an independent, state-level charter school authorizing entity working in collaboration with the Department of Education and under the supervision of the State Board of Education."

According to the new law, the commission has the power to:

- ✓ Authorize and act as a sponsor of charter schools, including the approval or denial of charter school applications and the non-renewal or termination of charter schools.
- ✓ Authorize municipalities, state universities, community colleges, and regional educational consortia to act as cosponsors of charter schools, including the approval or denial of cosponsor applications pursuant to State Board of Education rule.
- ✓ Approve or deny Florida Schools of Excellence (FSE) charter school applications and renew or terminate charters of FSE charter schools.
- ✓ Conduct facility and curriculum reviews of charter schools approved by the commission or one of its cosponsors.

The State Board can grant school districts "exclusive authority to sponsor charter schools within its boundaries" if it determines that the school district "has provided fair

and equitable treatment to its charter schools" for the past four years. In a memo to school districts, the State Board listed 10 factors that will help the board decide if the school district should have that "exclusive authority."

These "factors," which are available at the DOE web site or at FSBA's site ([www.fsba.org](http://www.fsba.org)) are so restrictive that very few, if any, school boards would be able to comply with them, said FSBA Executive Director Wayne Blanton.

Many school districts won't even want to deal with the numerous caveats included in the bill, said Dr. Blanton.

So, here's the rub: Florida Statutes 1002.33(1) says, "All

charter schools in Florida are public schools."

Article IX, Section 4(b) of Florida's Constitution, states: "The school board shall operate, control and supervise all free public schools within the school district."

When FSBA fought passage of the bill, its attorney, Ron Meyer, prepared a two-page document that, bottom line, contended HB

135 was unconstitutional, violating both Florida law and Article IX of the Constitution.

The charter school commission "would wholly usurp the power of elected school boards...to approve and regulate the establishment of charter schools within the school district," Mr. Meyer said.

"It does not require a constitutional scholar to ascertain what the people intended when they inserted this language (as noted above) in the Constitution," that "the duly elected school boards are the exclusive entities empowered to 'operate, control and supervise all free public schools within the school district.'" he added.

Language in HB 135 setting out the powers of the Florida Schools of Excellence Commission "wholly and unconstitutionally removes the powers of elected school districts conferred by Article IX, Section 4(b)...Indeed, the...language essentially strips all authority from...school boards to have any role in the operation, control, or supervision of charter schools in the district," said Mr. Meyer.

Even though school boards have to fund public schools within their districts, HB 135 "interdicts the right of the duly elected school board to approve or disapprove of the establishment of a charter school while at the same time requiring the district to pay for the operation of such school, whether or not it would be fiscally prudent to do so."

***"It does not require a constitutional scholar to ascertain what the people intended when they inserted this language in the Constitution. . ."***

## We thank the sponsors of our Annual Spring Conference June 14-16, 2006

The Florida School Boards Association and the Florida Association of District School Superintendents would like to recognize our highly valued partners. Relationships with our sponsors are instrumental in our pursuit of a higher quality of education in Florida.

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