

LEGISLATIVE UPDATE
Emergent Design and Development
MARCH 14, 2005

I. INTRODUCTION

The Legislative Session opened on March 8, 2005 with a joint session of the House of Representatives and the Senate. The Governor gave his State of the State message. The Governor's message concerning education centered on the following:

- A 35,000 dollar starting salary for all teachers and have all teachers above the national average in salary.
- A differentiated salary schedule which would reward teachers for working in high need areas and/or mentoring other teachers.
- An emphasis on reading -- all subject area teachers would become effective reading teachers
- Reading will become a permanent allocation in the budget and would grow proportionally at the rate of the overall budget.
- Students in grades 6-8 reading at levels 1 or 2 would be required to take a full year intensive reading course.
- Middle schools should have the same mathematical scale for letter grades that currently exists at the high school. Middle school students would be required to pass 3 years of language arts, math, social studies, and science.
- A reading compact scholarship would be established, which would allow parents of students scoring at level 1 on the FCAT reading assessment for 3 straight years to obtain a voucher to attend the school that they feel best meets the needs of their child.

II. BUDGET HIGHLIGHTS (not much flexible new money)

- 1.1 billion dollar increase in the education budget
- 551.4 million dollar increase for class size law requirements
- 86.8 million dollar increase for reading programs.(.total reading budget 186.4)
- 20.6 million dollar increase for transportation
- 16.6 million dollar increase for instructional materials
- 9 million dollar increase for sparcity adjustment
- a base student allocation of \$3,738.67 (an increase of \$68.41)
- program cost factors would all remain the same

- 62,393 new students would be funded
- the voluntary pre-school program is funded in the Agency for Workforce Innovation
- There appears to be non-recurring funds in the amount of 1.5 billion or more, however they will not be spent on ongoing projects

The budget will not be finalized until it passes both the House of Representatives and the Senate, and is signed by the Governor. This will probably be sometime in May.

III. ITEMS OF SPECIAL INTEREST FOR THE 2006 SESSION:

1. Class size/ teacher pay

H.J.R. 813 is a joint resolution, if passed, would allow the class size issue to go back to the voters. It would mandate the class size calculations would apply at the district level only, not at the school or individual classroom level. The money saved would be placed aside for teacher salary increases so that the average compensation of teachers in Florida would at least equal the average compensation of teachers in the U.S.

2. A++PLAN

This plan is currently represented by 3 bills in the House and 1 bill in the Senate. This program will have a major impact on education in Florida. It:

- establishes the Teacher Sunshine Connection Technology Initiative which is an information systems platform for teachers. It will be a web-based system to assist teachers with student information, student data, instructional management, curriculum management, and communication with parents and other educators.
- prohibits School Districts from beginning the school year prior to August 1 of any year.
- requires the State Board of Education to periodically review the Sunshine State Standards.
- establishes the middle school curriculum program.
- requires that students on level 1 and 2, in reading, must take a full year intensive reading course.
- requires that the D.O.E. review the effectiveness of graduates of teacher preparation programs. (based upon student results on statewide assessments)
- establishes the Florida Center for Reading Research, to be administratively assigned as determined by the Board of Governors, with responsibility to:
 - provide technical assistance to school districts

- research literacy interventions
- disseminate information regarding research practices in k-12
 - conduct the reviews of reading programs
 - conduct the reviews of emergent literacy programs
 - develop reading intervention courses for middle school and high school
- creates the Research Based Reading Allocation
- requires summer school reading programs for students in level 1
- establishes the DELTA program (Developing Educational Leaders for Tomorrows achievers) a program for principals and assistant principals in Florida
- requires an evaluation of the Dale Hickam Excellent Teacher Program

3. VOUCHERS

A program will be introduced to expand the voucher program to the parents of Students scoring in the lowest level of the FCAT for 3 consecutive years. The Program could effect 170,000 students in Florida.

4. HEALTH RELATED LEGISLATION

Bills related to obesity, required physical education, and control of the food and Drink products available at school will receive a good bit of attention.

5. RETENTION OF STUDENTS AT ALL GRADES

There are serious discussions concerning the possibility of requiring the retaining of students at all grades, thus further blocking the social promotion of students.

6. CHARTER SCHOOLS

Legislation is expected regarding the control and accountability of Charter Schools. The formation of the Florida Charter School Accountability Authority has been proposed. This group would be in a position to charter and oversee Charter schools anywhere in Florida.

7. BILLS OF INTEREST FILED SINCE THE FEBRUARY NEWSLETTER:

HB 1015 -- by Gottlieb

Classrooms for Kids Program; revises formula for determining each school district's share of annual appropriation for said program; provides that percentage of appropriation shall be used to reduce class size. Amends 1013.735. EFFECTIVE DATE: 07/01/2005.

HB 1021 -- by Traviesa

Educational Choice; establishes Reading Compact Scholarship Program to provide students with reading deficiencies option to attend public or private school of choice; provides eligibility requirements for receipt of Reading Compact Scholarship to attend private school & restricts eligibility

therefor; creates provision re rights & obligations of private schools participating in state school choice scholarship programs, etc. Creates 1002.385,.421; amends 1002.20. EFFECTIVE DATE: 07/01/2005.

HB 1027 -- by Cusack

Children/Retrieving From Schools; requires person to present picture identification before retrieving child from public school; provides definition; requires person to present picture identification before retrieving child from nonpublic school or certain child care facilities; provides definition. EFFECTIVE DATE: 07/01/2005.

HB 1057 -- by Arza

School Safety/Use of Tasers; prohibits use of Tasers in Florida K-20 public education system; provides penalty. Creates 1000.07. EFFECTIVE DATE: 07/01/2005.

HB 1089 -- by Greenstein

Independent Postsecondary Education; revises duty of Independent Education Commission re rulemaking; provides requirements of independent postsecondary educational institutions licensed by commission; specifies acts that constitute violations & provides penalties therefor; provides requirements for investigation of suspected violation of chapter or rules; provides additional grounds for disciplinary actions, etc. Amends Ch. 1005, 1010.83. EFFECTIVE DATE: 07/01/2005.

HB 1091 -- by Greenstein

Independent Education/Pub. Rec.; creates exemption from public records requirements for complaint, information obtained during investigation by Independent Education Commission, & minutes & findings of probable cause panel re suspected violations of specified provisions or commission rules; creates exemption from public meetings requirements for proceedings of probable cause panel; provides for limited duration of exemptions, etc. Amends 1005.38. EFFECTIVE DATE: Contingent

HB 1097 -- by Arza

School Personnel/Reemployment/DROP; authorizes reemployment of, & extended DROP participation by, persons formerly serving as administrative personnel in same manner as retired instructional personnel. Amends 121.091. EFFECTIVE DATE: Upon becoming law.

HB 1113 -- by Sobel

Physical Education in Public Schools; requires school districts to administer student physical fitness assessments & report results; provides school district duties re teacher inservice training & development of physical education program & policy; includes concepts of physical education in core curricula for teacher preparation programs; authorizes establishment of partnerships to provide for system of grants for improvement of student physical fitness. Amends 1003.455, 1004.04. EFFECTIVE DATE: 07/01/2005.

HB 1143 -- by Farkas

Career Education/Middle Schools; provides for accountability for career education in middle schools in school districts; requires school district plans for providing career education courses; requires documentation of career counseling to middle & high school students; requires training of guidance counselors & career specialists re such education. Amends 1003.491, 1006.02,.025. EFFECTIVE DATE: 07/01/2005.

HB 1163 -- by Pickens

Scholarship Program Accountability; revises student eligibility requirements for receipt of scholarship & restricts eligibility thereof; revises & adds school district obligations & clarifies parental options; revises private school eligibility & obligations, including compliance with specified laws & academic accountability to parent; revises parent & student responsibilities for scholarship program participation, etc. Amends 1002.39, 220.187; creates 1002.421. EFFECTIVE DATE: Upon becoming law.

HB 1171 -- by Sobel

Public Schools/Student Discipline; amends provision re student & parent rights; prohibits use of corporal punishment as form of discipline; deletes definition of corporal punishment for purposes of chapter; deletes authority of teachers to administer corporal punishment; revises district school board duties & code of student conduct re control & discipline of students; deletes authority of principals to administer corporal punishment, etc. Amends FS. EFFECTIVE DATE: 07/01/2005.

HB 1189 -- by Jordan

Child's Education/Deceased Veteran; extends opportunity to receive postsecondary educational benefits at state expense to dependent children of certain dead or disabled veterans who were Florida residents when death or disability occurred; decreases minimum required length of parent's residency. Amends 295.01. EFFECTIVE DATE: 07/01/2005.

HB 1191 -- by Arza

Land Acquisition & Facilities Board; abolishes Land Acquisition & Facilities Advisory Board & provisions relating thereto. Repeals 1013.512. EFFECTIVE DATE: Upon becoming law.

HB 1223 -- by Glorioso

Public K-12 Education Instruction; revises provisions re instruction & courses of study in public schools; includes study of history of U. S. & free enterprise; requires standards & assessments adopted by State Board of Education to conform; provides requirements for teaching & assessment of history of U. S.; amends provision re general requirements for high school graduation; includes study of Declaration of Independence, etc. Amends 1003.42,.43, 1002.20. EFFECTIVE DATE: 07/01/2005.

HB 1303 -- by Gottlieb

Student Safety & Campus Violence; creates "Student Safety & Campus Violence Prevention Act"; requires each school district to adopt policy prohibiting discrimination & harassment on school property, at school-sponsored function, or on school bus; requires educational institutions to develop & put into effect methods for instructing teachers, administrators, & counselors in identifying, preventing, & responding to harassment, discrimination, & violence, etc. EFFECTIVE DATE: 07/01/2005.

HB 1323 -- by Attkisson

Charter Schools; authorizes reconstitution of existing charter school; authorizes certain zoning & land use designations for certain charter school facilities; establishes Fla. Charter School Accountability Authority & provides for appointment of authority board of trustees; provides that salary career ladder for classroom teachers shall apply to charter school classroom teachers, etc. Amends Ch. 1012, 1002.33, 1013.62. EFFECTIVE DATE: Upon becoming law.

HB 1365 -- by Bean

Fla. School Recognition Program; provides for assignment of school performance grades to certain feeder pattern schools that do not receive such grade for purposes of participation in program. Amends 1008.36. EFFECTIVE DATE: 07/01/2005.

HB 1441 -- by Bucher

Scholarship Programs; Revises eligibility requirements for recipients of John M. McKay Scholarships for Students with Disabilities and revises certain prerequisites for schools participating in the scholarship program; revises provisions relating to the Corporate Tax Credit Scholarship Program. Effective Date: upon becoming a law.

HB 1485 -- by Bucher

Charter Schools; requires that charter school be notified of certain deteriorating financial conditions; clarifies that charter laboratory schools are included within provisions governing other developmental research schools; requires that charter school review its achievement after its first full year of operation & propose revisions to charter for consideration by district school board, etc. Amends 218.39, 1002.32,.33. EFFECTIVE DATE: 07/01/2005 except as otherwise provided.

HB 1499 -- by Goldstein

John M. McKay Scholarships/Autism; authorizes John M. McKay Scholarship to fund home-based early intervention program for child with Autism Spectrum Disorder; provides exemption from attendance requirement; provides program requirements; specifies uses for scholarship funds; authorizes said scholarship to fund certain community-based services for public school student with said disorder; defines term "Autism Spectrum Disorder". EFFECTIVE DATE: 07/01/2005.

HB 1573 -- by Goldstein

Education Supplement Trust Fund; creates said trust fund within DOE; provides for source of funds & purpose; provides for future legislative review & termination or re-creation of trust fund. Creates 1010.701. EFFECTIVE DATE: Contingent.

HB 1595 -- by Kendrick

District School Tax; authorizes school districts meeting certain class size requirements to use revenues generated by district school tax for specified purposes. Amends 1011.71. EFFECTIVE DATE: 07/01/2005.

HB 1613 -- by Jennings, Jr.

Discounted Computers/Students; creates program for providing discounted computers to low-income students; provides eligibility requirements for receiving discounted price on computer; requires DOE to negotiate terms with computer manufacturer; requires DOE to adopt rules, including rules re providing technical training to students. EFFECTIVE DATE: 07/01/2005.

HB 1645 -- by Economic Development, Trade & Banking

Workforce Innovation; establishes separate budget for Agency for Workforce Innovation; provides that agency may serve as contract administrator for Workforce Florida, Inc.; authorizes director to appoint deputy & assistant directors & to organize agency; authorizes agency to provide or contract for training of certain employees; removes reporting requirement; removes voting privileges of certain board members, etc. Amends Ch. 445, 20.50, 427.012; repeals FS. EFFECTIVE DATE: 07/01/2005.

HB 1647 -- by Brutus

Local Govt. Infrastructure Surtax; provides that resolution of district school board providing for receipt of proceeds of local government infrastructure surtax authorized under specified provision may include covenant to decrease capital local school property taxes or to discontinue surtax in certain circumstances. Amends 1011.715. EFFECTIVE DATE: Upon becoming law.

SB 1678 -- by Alexander

Public School Class Size; revises provisions re determination of class size averages for purpose of compliance with class size maximums; provides for reversal of class size reduction operating categorical transfers under certain circumstances. Amends 1003.03. EFFECTIVE DATE: 07/01/2005.

SB 1696 -- by Haridopolos

Immunizations; requires assisted living facilities to implement program to offer immunizations to residents against influenza viruses; requires each district school board & governing authority of each private school to provide information concerning meningococcal disease & its vaccine to parents; requires DOH to adopt rules specifying age or grade level of students for whom such information will be provided, etc. Amends 400.426, 1003.22.

SB 1710 -- by Education

Charter Schools; requires that charter school be notified of certain deteriorating financial conditions; clarifies that charter laboratory schools are included within provisions governing other developmental research schools; requires that charter school review its achievement after its first full year of operation & propose revisions to charter for consideration by district school board, etc. Amends 218.39, 1002.32,.33. EFFECTIVE DATE: 07/01/2005.

SB 1720 -- by Haridopolos

Sales Tax/Educational Materials; exempts certain educational materials from tax on sales, use, & other transactions. Amends 212.08. EFFECTIVE DATE: 07/01/2005.

SB 1724 -- by Wilson

Discounted Computers/Students; creates program for providing discounted computers to low-income students; provides eligibility requirements for receiving discounted price on computer; requires DOE to negotiate terms with computer manufacturer; requires DOE to adopt rules, including rules re providing technical training to students. EFFECTIVE DATE: 07/01/2005.

SB 1756 -- by Commerce and Consumer Services

Early Learning; requires early learning coalitions to provide parents with profiles of school readiness providers; authorizes said coalitions to establish school-age readiness services under certain circumstances; revises requirements for transportation services in school readiness programs; provides requirements for school readiness quality initiatives; revises requirements for Child Care Executive Partnership Program, etc. Amends Chs. 402, 411, 409.178. APPROPRIATION: \$150,000. EFFECTIVE DATE: 07/01/2005.

SB 1766 -- by Crist

School Students/Psychotropic Med; defines term "psychotropic medication"; prohibits recipients of state funds used for educational purposes from requiring student to be prescribed or administered psychotropic medication as condition of receipt of educational services; provides requirements for administration; provides restriction re diagnosis of treatment of mental disorders. Creates 1006.0625. EFFECTIVE DATE: Upon becoming law.

SB 1782 -- by Clary

Fla. Bright Futures Scholarship; revises Fla. Bright Futures Scholarship Program requirements to exclude from eligibility any student who is enrolled full time in early admission program of postsecondary institution & who enters ninth grade in 2005-2006 school year & thereafter; amends specified provisions to conform provisions to changes made by act, etc. Amends 1009.531, 1007.27,.271, 1011.62. EFFECTIVE DATE: 07/01/2005.

SB 1786 -- by Geller

Charter Schools; provides that sponsor of charter school shall not be liable for civil damages for certain actions; provides that duty to monitor charter school shall not be basis for private cause of action; expands school district's immunity from assumption of contractual debts. Amends 1002.33. EFFECTIVE DATE: 07/01/2005.

SB 1844 -- by Wilson

School-entry Health & Vision Exams; requires children who enter public or private schools in state to present evidence of having received comprehensive vision examination; provides exemption; conforms provisions. Amends 1003.22, 1002.20,.42. EFFECTIVE DATE: 07/01/2005.

SB 1846 -- by Wilson

Public Schools/Required Instruction; revises provisions re development & adoption of character-development curricula by district school boards; revises components of curricula. Amends 1003.42. EFFECTIVE DATE: 07/01/2005.

SB 1848 -- by Bennett

Student Safety & Campus Violence; creates "Student Safety & Campus Violence Prevention Act; requires each school district to adopt policy prohibiting discrimination & harassment on school property, at school-sponsored function, or on school bus; requires educational institutions to develop & put into effect methods for instructing teachers, administrators, & counselors in identifying, preventing, & responding to harassment, discrimination, & violence, etc. EFFECTIVE DATE: 07/01/2005.

SB 1888 -- by Lynn

Postsecondary Education; expresses legislative intent to revise laws re postsecondary education. EFFECTIVE DATE: Upon becoming law.

SB 1890 -- by Lynn

Exceptional Student Education; expresses legislative intent to revise laws re exceptional student education. EFFECTIVE DATE: Upon becoming law.

SB 1892 -- by Lynn

Fla. Comprehensive Assessment Test; expresses legislative intent to revise laws re Fla. Comprehensive Assessment Test (FCAT). EFFECTIVE DATE: Upon becoming law.

SB 1900 -- by Lynn

Postsecondary Education; expresses legislative intent to revise laws re access to postsecondary education. EFFECTIVE DATE: Upon becoming law.

SB 1902 -- by Lynn

Teacher Education; expresses legislative intent to revise laws re teacher education. EFFECTIVE DATE: Upon becoming law.

SB 1966 -- by King, Jr.

College Savings Program; amends provision re Fla. Prepaid College TF to provide for transfer of funds from terminated advance payment contract to direct-support organization; provides that such organization may award scholarships from funds of terminated contracts to certain children whose parents were members of Armed Forces or Coast Guard of U.S. who died in certain combat theaters of operation, etc. Amends Ch. 1009. EFFECTIVE DATE: 07/01/2005.

SB 2090 -- by Lynn

School Classroom Size/Teachers' Pay; constitutional amendment to amend maximum class sizes in public school classrooms, to move up implementation date, to require that public school teachers receive minimum salary of \$35,000, & to require that minimum salaries be higher than national average starting pay. Amends s. 1, Art. IX.

SB 2096 -- by Lynn

High School Graduation/Accelerated; repeals provision re options for accelerated high school graduation; amends provisions re career education certification, state university admissions, student assessment program for public schools, & Fla. Bright Futures Scholarship Program to conform

provisions to repeal of specified provision; provides for application of act. Repeals 1003.429; amends 1003.431, 1007.261, 1008.22, 1009.531. EFFECTIVE DATE: 07/01/2005.

SB 2100 – by Lynn

Juvenile Justice Education Programs; requires DOE to develop procedures for reporting performance & participation data of students in juvenile justice education programs. Amends 1003.52. EFFECTIVE DATE: Upon becoming law.

SB 2120 –by Atwater

Opportunity Scholarship Program; changes deadline by which parent must notify DOE of student's acceptance into eligible private school from July 1 to September 15 of first year in which student intends to use said program. Amends 1002.38. EFFECTIVE DATE: Upon becoming law.

SB 2126 – by Wise

Student & Faculty Academic Freedom; provides student rights to academic freedom; provides postsecondary student & faculty academic bill of rights; specifies student, faculty, & instructor rights; requires dissemination of copies of act to state universities & community colleges. Amends 1002.21; creates 1004.09. EFFECTIVE DATE: 07/01/2005.

SB 2134 – by Wise

Diana Kautz Student Safety Sponsors; creates Diana Kautz Student Safety Sponsors Act; provides for district school boards to adopt policies for private sponsorship of described seat belt assemblies on school buses; provides for sponsorship fee; provides for signage on exterior of school bus acknowledging sponsorship; limits liability of sponsors; revises requirement that students use crash protection system on school bus, etc. Creates 1006.273; amends 1006.25,.261. EFFECTIVE DATE: 07/01/2005.

SB 2190 – by Wise

Florida Virtual School; provides for application of provisions re Florida Virtual School to approved school district franchises of school. Amends 11.45, 1000.04, 1001.42, 1002.20,.23,.37, 1003.02,.03,.52, 1007.27, 1011.61. EFFECTIVE DATE: 07/01/2005.

SB 2264 – by Atwater

Students/Instructional Costs; provides guidelines for determining residency of student who receives instruction in this state as exceptional student; requires nonresident exceptional student's placing authority or parent to pay cost of instruction, facilities, & services for student; provides duties of DOE; provides conditions under which nonresident undergraduate may be reclassified as resident of this state, etc. Amends 1003.57,.58, 1009.21,.40. EFFECTIVE DATE: 07/01/2005.

SB 2274 – by Bullard (L)

Students First Act; revises school performance grade categories; revises requirements for obtaining increased budget authority by schools; revises method for determining school performance grades; provides for public hearings re adoption of said grade requirements; renames Fla. School Recognition Program as Students First Program & revises provisions thereof; provides for use of Students First Program funds, etc. Amends 1008.34. EFFECTIVE DATE: 07/01/2005.

SB 2280 -- by Siplin

Student Assessment Instruments; authorizes student's parent & student to review questions & student's answers to questions on criterion-referenced portion of Fla. Comprehensive Assessment Test; requires DOE to honor requests within certain time period; requires that district school boards notify eligible parents; revises requirements for receipt of standard high school diploma for certain transfer students, etc. Amends 1008.23, 1003.433. EFFECTIVE DATE: 07/01/2005.

SB 2328 – by Siplin

Private Schools; provides that earning passing scores on Fla. Comprehensive Assessment Test (FCAT) or, in specified circumstances, on equivalent standardized test is prerequisite to receiving high school diploma from private school in this state. Amends 1002.42. EFFECTIVE DATE: 07/01/2005.

SB 2468 – by Lynn

John M. McKay/Students/Disabilities; authorizes John M. McKay Scholarships for Students with Disabilities Program; to fund home-based early intervention program for child with Autism Spectrum Disorder; provides program requirements; specifies uses for scholarship funds; authorizes John M. McKay Scholarship to fund certain community-based services for public school student with Autism Spectrum Disorder; provides exemption from attendance requirement. Amends 1002.39. EFFECTIVE DATE: 07/01/2005.

SB 2478 – by Lynn

Private School Bus Drivers; provides requirements for private school bus drivers, including specified qualifications, drug & alcohol testing, background screening, & certain registration or licensure. Amends 1002.42. EFFECTIVE DATE: 07/01/2005.

SB 2480 – by Lynn

Education; creates Accountability, Research, & Measurement Div. of DOE; revises guiding principles of Better Educated Students & Teachers Fla. Teaching program; requires State Board of Education to periodically review Sunshine State Standards; creates Just Read, Florida! Office within DOE; establishes general requirements for graduation from middle school; requires use of certain funds for class size reduction, etc. Amends FS. EFFECTIVE DATE: Upon becoming law except as otherwise provided.

SB 2482 – by Lynn

Postsecondary Educ. Institutions; deletes provisions requiring that independent postsecondary educational institution be Fla. corporation in order to apply for licensure by means of accreditation. Repeals 1005.32(1)(e). EFFECTIVE DATE: 07/01/2005.

SB 2518 – by Clary

Workforce Investment Act; provides purpose; defines terms; authorizes tax credits; provides limitations on individual & total credits; provides that Consortium of Florida Education Foundations is fiscal agent for programs funded under this section; provides for administrative costs; provides obligations of public school education foundations. Creates 220.188. EFFECTIVE DATE: 07/01/2005.

SB 2580 – by Siplin

Standardized Test Academic Grade; provides for Standardized Test Academic Grade, or STAG, to be used in lieu of Fla. Comprehensive Assessment Test to assess high school students for purposes of promotion & graduation; requires that Education Commissioner develop & implement STAG program by specified date; provides eligibility requirements for student use of STAG; provides formula for computing student's STAG score, etc. Creates 1008.225; amends 1003.42, 1008.22. EFFECTIVE DATE: 07/01/2005.

SB 2590 -- Reserved for Appropriations Related Bill Ways and Means

SB 2592 -- Reserved for Appropriations Related Bill Ways and Means

SB 2594 -- Reserved for Appropriations Related Bill Ways and Means

SB 2596 -- Reserved for Appropriations Related Bill Ways and Means

SB 2598 -- Reserved for Appropriations Related Bill Ways and Means

SB 2600 -- Reserved for Appropriations Related Bill Ways and Means

SB 2602 -- Reserved for Appropriations Related Bill Ways and Means

SB 2604 -- by Lynn

Florida Virtual School Funding; provides methodology for determining full-time equivalent student membership of Florida Virtual School in order to calculate funding under Florida Education Finance Program. Amends 1002.37. EFFECTIVE DATE: 07/01/2005.