

January 25, 2013

MEMORANDUM

TO: District School Superintendents

FROM: Joy Frank

RE: Update – Week of January 22, 2013

General Information

Attached is the latest draft of the school safety/resource officer survey that was distributed in an earlier email. If you have not submitted information (there are only a few districts), please do so and we will incorporate the responses.

Committee Meetings

The House and Senate continued scheduled interim committee meetings this week. As before, most of the meetings consisted of presentations. Unlike last week, many of the presentations focused on postsecondary issues. The **House Education Subcommittee on Choice and Innovation** held a workshop on digital learning. Superintendent Carlene Anderson from Walton County School District and Dr. Helen Blanch, Assistant Superintendent, School Choice, Miami-Dade County Public Schools presented before the committee. They both did an excellent job discussing the excitement and possibilities of digital learning, tempered by the challenges of access and funding.

The **House K-12 Education Subcommittee** heard a presentation by Kathy Hebda, Deputy Chancellor for Education Quality, DOE, regarding personnel evaluation systems and implementation of the Student Success Act. Members asked several questions including the impact on ESE students and teachers, local assessments, value added model components, transition from FCAT to PARCC, etc. In addition, members were interested in a comparison of teacher performance with longevity/years of service. Finally, there was discussion on the correlation between low performing schools and teacher performance.

Ms. Hebda reported that the process for the development and adoption of rules that include statewide performance standards for use with statewide assessment data will begin soon. Draft rules should be available soon and public comment will be solicited. It is expected the proposed rules will be presented to the SBE before the end of this semester.

The **Senate Ethics and Elections Committee** passed major ethic reform legislation. SB 2 contains several provisions relating to dual public employment, conflict-of-interest, financial disclosure, employment after vacation of office, etc. The bill creates s. 112.3125, F.S., relating to dual public employment. According to the bill, a public officer may not accept additional public employment with the state or any of its political subdivisions. The term “public officer” includes any person who is elected to state or local office or, for the period of his or her candidacy, any person who has qualified as a candidate for state or local office.

A person who was employed by the state or any of its political subdivisions before qualifying as a public officer for his or her current term of office, or the next available term of office, may continue his or her employment except as otherwise provided by law. However, he or she may not accept promotion, advancement, additional compensation, or anything of value that he or she knows is provided as a result of his or her election or position, or that is otherwise inconsistent with the promotion, advancement, additional compensation, or anything of value provided or given an employee who is similarly situated. These provisions do not apply to a qualified person seeking a position as an educator whose primary duties are instructional, as opposed to managerial or administrative, in nature.

The bill also requires annual ethics training (4 hours) for specified constitutional officers, including school superintendents and school board members.

The bill amends s. 112.3143, F.S., relating to voting conflicts and prohibits a state public officer from voting on any matter that the officer knows would inure to his or her special private gain or loss. "Special private gain or loss" means an economic benefit or harm that would inure to the voting official or the voting official's relative, business associate, or principal in a unique way or disproportionate to other members of the group.

The bill amends s. 112.3144, F.S., relating to financial disclosure of for candidates. The bill provides timelines for filing financial disclosure as a candidate. The Ethics Commission or Department of Financial Services may take action to collect any unpaid fine imposed by this section within 20 years after a fine is initially reported to the department. An individual required to file a disclosure may have the disclosure prepared by a certified public accountant.

The bill creates s. 112.31445, F.S., and requires that beginning with the 2012 filing year, all full and public disclosure of financial interest must be made publicly available by the Ethics Commission through a searchable Internet data base. By December 1, 2015, the Ethics Commission must submit a proposal to the Legislature for a mandatory electronic filing system.

Those persons required to submit financial disclosure are expanded to include the finance director of a county, municipality, or other political subdivision.

The bill provides for collection methods for unpaid fines.

The bill amends s. 112.3148, F.S., relating to the reporting and prohibited receipt of gifts by individuals filing disclosure of financial interests. Persons who are prohibited from accept gifts include a "procurement employee" who has participated in the preceding 12 months in a decision or approval of a purchase request, etc. A reporting individual or procurement employee is prohibited from soliciting any gift from a vendor doing business with the reporting individual's or procurement agency. "Vendor" is defined as a business entity doing business directly with an agency, such as renting, leasing, or selling any realty, goods, or services.

The bill creates sections prohibiting gifts involving political committees and committees of continuous existence.

The bill creates sections authorizing qualified blind trusts so that if a public officer creates a trust and does not control the interests held by the trust, his or her official actions will not be influenced or appear to be influenced by private considerations.

The **House Government Operations Subcommittee** discussed draft legislation relating to the Florida Retirement System. The draft bill:

- Closes the pension plan (defined benefit) to members initially enrolled in the Florida Retirement System on or after January 1, 2014, and requires those members to participate in the investment plan (defined contribution).
- Closes the Senior Management Service Optional Annuity Program to new participants effective January 1, 2014.
- Prohibits an elected official who is eligible for membership in the Elected Officers' Class from joining the Senior Management Service Class on or after January 1, 2014.
- Expands the investment options available to investment plan participants as follows:
 - Requires the State Board of Administration to develop investment products; and
 - Requires an employee-directed investment option (brokerage account) to be provided.
- Eliminates the option to apply for disability benefits under the pension plan for members initially enrolled in the Florida Retirement System on or after January 1, 2014.
- Makes conforming changes.

The House and Senate will hold committee meetings for three weeks in February, beginning on February 4th. I hope this information is helpful. If you have any questions, please give me a call at 850.577.5784.