

January 18, 2013

MEMORANDUM

TO: District School Superintendents

FROM: Joy Frank

RE: Legislative Update – Interim Committee Week – January 14-17

General Information

As related earlier, the Florida Supreme Court held that the 3% contribution to retirement plans by public employees is constitutional.

Again, most of the committee meetings consisted of presentations on various issue. Dr. Tony Bennett, the new Education Commissioner, was introduced at most of the education related legislative committees. In addition, many superintendents and school district personnel made presentations before both Senate and House Committees. They were excellent and we appreciate the time and effort; it was time well spent.

Senate Education Committee

The committee heard presentations from three superintendents on school safety issues – Dr. Joe Joyner, St. John’s School District; Jackie Pons, Leon School District, and Robert Pearce, Wakulla School District. In attendance also were the directors of safety and security – John Hunkier, Leon District Schools and Jim Griner, Wakulla District Schools. The overall testimony focused on the steps that districts are taking to make schools even safer than they already are. Districts need flexibility in order to respond and react to local needs. For example, one school may need fencing, while another school may need a better communication system. In fact, better communication within schools, among schools and district offices, law enforcement and the community was expressed as an overall need. The superintendents agreed that the state should establish the parameters for safety and school districts, after an audit/review, should have the flexibility to make the necessary modifications within the resources provided.

Senate Appropriations Subcommittee on Education

The committee heard similar presentations from district personnel related to school safety from a fiscal standpoint. Dr. Robert Moll and Gary Marks from Volusia District Schools, Sherrie Raulerson, Superintendent and Marcelle Richardson from Baker District School and Scott Howat from Orange District Schools made presentations. They were similar to the testimony provided the day before and emphasized the flexible use of the Safe Schools Categorical.

House K-12 Subcommittee on Education

The committee heard two committee bills. **PCB KTS 13-01 - Repeal of Laws Affecting Educational Institutions.** This bill is a coordinated effort to reduce regulation of public educational institutions by the Governor, Legislature, district school superintendents, and other education stakeholders. In the 2012 interim, the K-12 Subcommittee was directed to identify unnecessary, obsolete, or unfunded K-20 Education Code requirements for repeal. Staff consulted the Office of the Governor, Department of Education (DOE), and other education stakeholders to identify potential repeals. Similarly, in October 2012, the Governor selected seven district school superintendents to formulate recommendations for eliminating unnecessary or outdated statutes and State Board of Education rules. DOE disseminated a statewide survey soliciting recommendations from the remaining 60 superintendents. The statutes proposed for repeal by this bill are the product of these combined efforts. The bill repeals:

- Inactive or underutilized programs, including the Alternative Credit for High School Courses Pilot Project, High School to Business Career Enhancement Program, Incentives for Urban or Socially and Economically Disadvantaged Area Internships, Centers of Technology Innovation, Dropout Reentry and Mentor Project, Sunshine Workforce Solutions Grants, Florida Minority Medical Education Program, Transition to Teaching Program, School Infrastructure Thrift (SIT) Program, A Business-Community (ABC) School Program, and Effort Index Grants.
- Provisions that are unnecessary or duplicate other law, including state board review of school district compliance with the Family and School Partnership for Student Achievement Act, certain requirements regarding school-to-work transition and postsecondary and workforce readiness, school district reporting of suspensions and expulsions, provisions requiring alignment of public high school athletic programs with those offered by public postsecondary institutions, certain public postsecondary institution safety policies, and Commissioner of Education authority to grant exceptions to recommendations in educational plant surveys.
- Provisions that are not being implemented or contain outdated or expired statutory authority, including reporting of K-12 Foreign Language Curriculum plans, a DOE parent-response center, Florida School for the Deaf and the Blind authority to create a direct-support organization, high school diploma designations related to high school major areas of interest, high school graduation for students who entered 9th grade before the 2007-08 school year, certain substance abuse training programs, the Florida Teachers Lead Program electronic management system pilot project, provisions relating to reduction of energy consumption by public postsecondary institutions, and exceptions to Special Facilities Construction Account millage contribution requirements granted to three school districts.
- Burdensome or unnecessary reporting requirements relating to K-12 public school recycling efforts, school board family involvement rules, school wellness and physical education policies, and paperwork reduction.

The proposed bill passed the subcommittee favorably with no amendments. The bill is now numbered HB 7001.

PCB KTS 13-02 - Interstate Compact on Educational Opportunity for Military Children. In 2008, the Florida Legislature enacted the Interstate Compact on Educational Opportunity for Military Children. The purpose of the compact is to enable member states to uniformly address educational transition issues faced by military families. The compact establishes an Interstate Commission on Educational Opportunity for Military Children (Commission) to provide national-level oversight of the compact.

Since enactment in 2008, Florida's compact legislation has included a repeal provision which requires automatic repeal of the compact after a period of time, unless reauthorized by the Legislature. Because membership in the compact entails an agreement to be bound by rules promulgated by a non-legislative entity, i.e., the Commission, the repeal provision allows the Legislature to periodically review the compact rules and determine whether it agrees with any new rules or rule amendments adopted during the period. The Legislature last reauthorized the compact in 2010, and provided for repeal of the compact in three years, which is May 11, 2013.

The bill reauthorizes Florida's compact legislation and eliminates the existing repeal provision. The bill adds a new automatic repeal provision effective three years after the bill becomes effective.

The bill passed the subcommittee favorably and is now numbered HB 7003.

House Choice & Innovation Subcommittee on Education

The Committee heard several presentations on school improvement. Representatives from the Office of Program Policy Analysis and Government Accountability (OPPAGA) provided a summary of a research memorandum entitled "Leadership is a Key Factor in Improving Student Reading Performance at Low Performing Schools." The summary is as follows:

As directed, we collected information on strategies that consistently low performing schools implemented to successfully improve student reading proficiency. To gather information on the strategies that made the most difference in improving student reading performance, we conducted in-depth interviews of school district and school administrators, teachers, reading coaches, and other individuals at 10 schools that improved their reading scores and 5 that did not. Based on our interviews, we found that most of the 15 schools were implementing similar types of strategies to improve reading. However, the most significant difference cited between the two groups of schools was that the schools that improved reading scores had effective principals who established high expectations for all students, had a strategic vision for school improvement, developed plans to implement strategies to achieve that vision, and were actively involved in ensuring the strategies were implemented as intended. School districts also provided support to these schools, such as professional development for administrators and teachers. The Department of Education recognizes the linkage between effective leadership and school improvement, and has implemented programs to help ensure that struggling schools have capable principals.

Wendy Borowski, Principal of Manatee Elementary School and Lee Wetherington-Zamora, Principal of Central Hamilton Elementary School gave presentations on innovative practices in their schools. I was not present at the meeting as I was in a Senate Committee, but I understand that the presentations were well-received.

House Education Appropriations Subcommittee

The committee had an overview of the FEFP and Workforce Education Formula presented by committee staff.

House Appropriations Committee

The Public Education Capital Outlay (PECO) Trust Fund was the topic for the meeting. PECO funding for district operated and charter operated K-12 schools was not discussed at the meeting at all.

Don Langston, the Staff Director for the House Finance and Tax Subcommittee provided members with a very detailed analysis of the revenue and expense issues associated with PECO. The key points were the following:

- The revenue source, which is a gross receipts tax on utilities, is undergoing change.
- The revenue is derived from a 2.5% tax on receipts from the sale of electricity and gas and a 2.52% Communications Services Tax. The collapse of the Florida economy, increased efforts by consumers to conserve energy and cut utility bills (including school districts) and changes in consumers' use of land line telephones have combined to constrain revenue growth and decrease revenue availability.
- The actual and projected growth of revenue provided the basis for issuing bonds, the proceeds of which were used to fund new construction for public schools, state colleges and universities, and lab schools. There is no revenue growth to use to sell bonds.
- The requirements to service existing debt and meet other needs have required the use of lottery and general revenue to "back-fill appropriations from FY's 2008-2009 and 2010-2011."
- Absent a remarkable increase in growth rates in the state, to a rate experienced eight or ten years ago, a tax rate increase, or an increase in the tax base, the short and mid- range forecasts do not project revenue to be available to fund public education capital outlay needs from the PECO Trust Fund.

For the balance of the meeting the committee was focused on the capital outlay needs of the state colleges and universities.

I hope this information is helpful. If you have any questions, please give me a call. Interim committee meetings are also scheduled for next week.