

2017 Legislative Review

ST. JOHNS COUNTY SCHOOL BOARD WORKSHOP

AUGUST 1, 2017



Legislative Platform

Funding

Support the restoration of the local capital outlay millage authority to 2.0 mills by a majority vote of the locally elected school board.

- Language proposed in the Senate – Did not pass

Support increases in per student funding to place Florida in the upper quartile nationally and ensure that funding for each categorical allocation within the FEFP is sufficient to cover actual costs, growth, and inflation, and is not reduced by either enrollment or revenue changes during the fiscal year.

- Per student funding increased by \$100 per student



Legislative Platform

Funding

Support the restoration of funding for courses taken beyond a base 6-period day (1.0 FTE), including virtual education and dual enrollment.

- No movement

Support an increase in the Digital Classrooms Allocation in the FEP for statutorily required technology needs, including infrastructure, hardware, software, training, and portable delivery devices and provide flexibility on how DCP funds may be spent.

- No increase in allocation
- Greater flexibility in use of the funds
- No longer required to complete the DCP



Legislative Platform

Funding

Support parity in bonus funding for Advanced International Certificate of Education (AICE) program teachers to put them in line with AP and IB program teachers.

- All caps on teacher bonuses for AP, IB, AICE and CAPE removed

Provide adequate funding systems to address the ever increasing behavioral, mental and physical health needs of our students.

- No movement



Legislative Platform

Assessment and Instructional Materials

Support additional paper/pencil options for the Florida Standards Assessments, provided by the State, until adequate infrastructure, devices, and students' digital skills are in place and ready for successful administration.

- Grades 3-6 will be paper based

Support a state requirement for all digital instructional materials, including those associated with print materials, meet a set of generally accepted integration standards to facilitate their use by district systems.

- No movement

Restore the feedback practices for writing on the state assessment.

- No movement



Legislative Platform

Choice Programs

Oppose any proposal to redistribute a portion of the district's 1.5 capital outlay millage to charter schools.

- Opposed unsuccessfully

Oppose any changes to the current controlled open-enrollment law that would impede school districts' authority over student enrollment.

- No changes were made to controlled open-enrollment statute

Support parity for district virtual programs by allowing them to operate with the same calendar freedom as Florida Virtual School by ensuring consistency in funding throughout both the regular and summer terms.

- Conversation started – No movement



Legislative Platform

Choice Programs

Support modifications to the model charter school application to document that the charter governing board is independent of any management company or cooperative and, at its sole discretion, may terminate a contract with a management company or cooperative at any time.

- No movement

Support the inclusion of the Florida General Knowledge test for individuals pursuing a teaching certification on the CAPE Industry Certification funding list.

- No movement



Legislative Platform

School Safety

Support legislation requiring individuals making public records requests at a school site to check in with proper identification which aligns with protocol for all other individuals entering our schools. Anonymous requests may continue to be made through the district office.

- No movement



General Appropriations Act SB 2500 and HB 3A

Public Schools/K12 FEFP Total Funding

- \$20.64 billion (\$11.67 billion state funds; \$8.97 billion local)
- FEFP Increase of \$455 million or 2.25%
- FEFP Increase in Funds per FTE of \$100 or 1.39% - from \$7196.23 to \$7,296.23
- RLE Millage reduction of .322 mills from 4.638 to 4.316 to maintain current required local effort funding of \$7.6 billion



General Appropriations Act SB 2500 and HB 3A

Programs and Initiatives Funded

- \$8.1 million for Educator Professional Development and Recognition
- \$419 million per HB 7069
 - \$234 million for The Florida Best and Brightest Teacher Scholarship Program
 - \$140 million for the Schools of Hope Program
 - \$30 million for the Gardiner Scholarship Program
 - \$15 million for Statewide Assessments
- \$5.5 million increase in the ESE Guaranteed Allocation
- \$80 million in the Digital Classrooms Allocation
- \$5.5 million increase in Supplemental Academic Instruction Allocation



General Appropriations Act SB 2500 and HB 3A

Fixed Capital Outlay - \$1.84 billion

- \$184 million for Maintenance, Repair, Renovation and Remodeling, includes:
 - \$50 million for Public Schools
 - \$50 million for Charter Schools
 - \$38.1 million for the Florida College System
- \$2.2 million for Florida School for the Deaf and the Blind
- \$50.8 million for Special Facility Construction Account projects
- \$73.6 million for Florida College System projects
- \$1.24 billion for Debt Service



Education Related Legislation That Passed

- HB 15 – Educational Options
- SB 80 – Public Records
- HB 293 – Middle Grades
- HB 371 – Assistive Technology Devices
- SB 436 – Religious Expression in Public Schools*
- HB 493 – Enhanced Safety at School Crossings
- HB 989 – Instructional Materials*
- HB 1109 – Private School Student Participation in Extracurricular Activities
- HB 1239 – School Bus Safety
- SB 7022 – Public Employees*
- SB 8A – Medical Marijuana*
- HB 7069 – Education*



SB 436 – Religious Expression in Public Schools

The bill creates the “Florida Student and School Personnel Religious Liberties Act,” and specifies that a school district may not discriminate against a student, parent, or school personnel on the basis of a religious viewpoint or religious expression.

The bill authorizes a student to:

- Express his or her religious beliefs in written and oral assignments free from discrimination.
- Wear clothing, accessories, and jewelry that display a religious message or symbol to the same extent as secular types of clothing, accessories, and jewelry that display messages or symbols are permitted.
- Pray or engage in and organize religious activities before, during, and after the school day to the same extent that student engagement in secular activity or expression and the organization of secular activities and groups are permitted.



SB 436 – Religious Expression in Public Schools

Requires a school district to:

- Comply with Title VII of the Civil Rights Act of 1964 and specifies that a school district may not prevent school personnel from participating in religious activities on school grounds that are student-initiated at reasonable times before or after the school day.
- Give a religious group access to the same school facilities for assembling as given to a secular group without discrimination and authorizes such a religious or secular group to advertise or announce its meetings.
- Adopt a policy that establishes a limited public forum for student speakers at any school event at which a student is to speak publicly.

Requires the Florida Department of Education to develop and publish on its website a model policy regarding a limited public forum and the voluntary expression of religious viewpoints by students and school personnel in public schools.



HB 989 – Instructional Materials

- The bill revises procedures for school district adoption of instructional materials and procedures for reviewing and challenging the use of materials by:
 - allowing parents and residents of the county to provide evidence that an instructional material slated for adoption does not meet state criteria, contains prohibited content, or is otherwise inappropriate or unsuitable;
 - requiring school districts to provide access to library materials upon written request;
 - requiring school districts to maintain a current list of purchased instructional materials on their websites;
 - clarifying that a school district is responsible for the content of all materials made available to students, including those that may not meet the statutory definition of an instructional material.
- The bill requires School Boards to conduct at least one public hearing for all petitions timely filed before an unbiased and qualified hearing officer who is not an employee or agent of the school district.



SB 7022 – Public Employees

The bill is a comprehensive benefits package for state employees that includes revisions to the Florida Retirement System (FRS), pay raises for state workers, and changes to the State Group Insurance Program.

A summary of changes to the FRS program are as follows:

- Changes the default retirement plan election from the pension plan to the investment plan for employees hired on or after January 1, 2018 who do not affirmatively select a retirement plan. This does not change the ability of a new employee to choose between the pension and investment plans – it only impacts those who do not make a choice.
- Extends the initial retirement plan election period from 6 to 9 months after being hired.
- Permits renewed membership in the investment plan or in one of the optional annuity retirement plans for certain former participants of those plans.



SB 7022 – Public Employees

- Effective July 1, 2018, prohibits newly enrolled members of the Elected Officer Class from participating in the pension plan.
- The Senior Management Service Optional Annuity Program is closed to new members effective July 1, 2017. Members enrolled in the program prior to July 1, 2017 may retain his or her membership.
- The employer contribution rates are increased to fund FRS's normal costs and unfunded actuarial liability and the costs of the new benefits offered under this legislation. Rate changes in the bill will result in increased costs to school districts totaling approximately \$54 million.



SB 8A – Medical Marijuana

- The bill implements the provisions of Art. X, s. 29, of the State Constitution. The bill builds on the existing compassionate use of low-THC and medical cannabis program with additional provisions to implement the Constitutional Amendment passed by Florida voters in the 2016 General Election.
- The bill outlines qualifying medical conditions and allows marijuana edibles and vaping, but prohibits the smoking of marijuana.
- The bill provides for a caregiver to be designated for a qualified patient who is a minor and provides qualifications and training for caregivers.
- The bill creates a medical marijuana use registry.



SB 8A – Medical Marijuana

The bill has several pieces that touch schools, including the following:

- Defines the term “Medical Use” to not include the use or administration of marijuana on the grounds of a preschool, primary school, or secondary school, except as provided in s. 1006.062 (statute governing administration of medicine in schools) or in a school bus... except for low-THC cannabis.
- Prohibits a medical marijuana treatment center cultivating or processing facility from being located within 500 feet of the a school, private or public.
- Provides an exemption for the facility being located within 500 feet of a school if a county or municipality approves the location through a formal proceeding open to the public at which the county or municipality determines that the location promotes the public health, safety, and general welfare of the community.



SB 8A – Medical Marijuana

- Prohibits the use of marijuana in plain view of or in a place open to the general public; in a school bus; or on the grounds of a school, except as provided in s. 1006.062. A qualified patient who uses under these circumstances commits a misdemeanor of the first degree.
- Allows school personnel to possess marijuana that is obtained for medical use by a student who is a qualified patient.
- Tasks the Department of Health with implementing a statewide cannabis and marijuana education and illicit use prevention campaign and allows them to work with school districts to provide training and programming.
- Requires each school district board to adopt a policy and a procedure for allowing a student who is a qualified patient to use marijuana and outlines what must be included in the policy.



Budget Conforming Bill

HB 7069 - Contains provisions from 23 bills

- HB 5101 – Educational Funding
- HB 5105 – School Improvement
- CS/CS/HB 7101 – K-12 Education
- CS/CS/HB 7057 – Civic Literacy
- CS/CS/CS/HB 15 – Educational Options
- CS/HB 833 – Student Eligibility for K-12 Virtual Instruction
- CS/CS/CS/HB 549 – Education (Assessments)
- CS/CS/HB 773 – Education (Assessments)
- CS/HB 1111 – Teacher Certification
- CS/CS/HB 1331 – Education (Schools of Excellence)
- CS/CS/SB 1552 - Education
- SB 2516 – Education Funding
- CS/HB 127 – Public School Attendance Policies
- CS/CS/HB 293 – Middle Grades
- HB 655 – Exceptional Student Education
- HB 6015 - High School Graduation Requirements
- CS/CS/HB 989 – Instructional Materials
- CS/HB 827 – Teacher Bonuses
- HB 1139 – Minority Teacher Education Scholars
- CS/HB 1131 – Shared use of Public School Playground Facilities
- HB 67 – Public School Recess
- CS/HB 79 – Education (Reading Instruction)
- HB 1229 – Committee on Early Grade Success



Funding School Operations

Teacher Bonus Funds

- The bill removes the \$2,000 and \$3,000 yearly teacher bonus limits for the IB and AP assessments, the \$3,000 CAPE industry certification teacher bonus limit, the \$500 half-credit yearly AICE teacher bonus limit, and the \$2,000 yearly AICE teacher bonus limit.
- 80% of AICE funds must now be spent on the program.

Digital Classrooms Allocation

- Repeals the requirement of submitting a digital classrooms plan.
- Authorizes the use of funds for items on the eligible services list authorized by the Universal Service Administration Company E-rate program, computer and device hardware, associated operating system software, and professional development to enhance the use of technology for digital instructional strategies.



Funding School Operations

Lowest 300

- The bill revises SAI and reading allocation provisions regarding the extra hour of reading at the 300 lowest-performing elementary schools by codifying the program in statute, rather than relying on annual reauthorization.
- Clarifies the extra hour of instruction must be provided by a teacher who has *demonstrated* effectiveness in teaching reading.
- Provides District P.D. should include helping teachers receive their reading endorsement.

Dual Enrollment

- The bill provides a dual enrollment course may be provided by any accredited U.S. institution – may be located outside the State of Florida.



High Growth District Capital Outlay Assistance Grant Program

- The bill modifies the qualification requirements and funding methodology for the High Growth District Capital Outlay Assistance Grant Program. Under the bill, in order to qualify for the program, a school district must:
 - levy the maximum non-voted discretionary millage for the prior 5 years;
 - receive revenue from a current voted school capital outlay sales surtax or a portion of the local government infrastructure surtax;
 - have funds from the non-voted discretionary capital outlay millage that, when divided by the district's capital outlay FTE students, are less than the statewide average maximum potential funds per capital outlay FTE student for the most recent fiscal year;
 - have equaled or exceeded the greater of one percent average growth or twice the statewide average growth in capital outlay FTE students of the prior 5-year period; and
 - have more than 24,000 total capital outlay FTE students.
- The bill also modifies the program allocation methodology.



Schools of Excellence

- The bill establishes the Schools of Excellence Program to provide administrative flexibility to the state’s highest performing schools.
- The bill requires the SBE to designate a school as a School of Excellence when the school’s percentage of possible points earned in its school grades calculation is in the 80th percentile or higher for schools within the same grade group for 2 of the last 3 school years.
- In order to qualify, the school must have data for each school grades component for its grade group. Under the bill, a school retains its designation as a School of Excellence for 3 years so long as it does not receive a school grade lower than a “B” during that span.
- The school may renew its designation for another 3 years if it remains in the 80th percentile or higher for 2 of the 3 years and does not receive a grade lower than a “B” in any of the years.



Educator Certification Requirements

Revises the certificate application process to:

- Require DOE to issue a professional certificate to a qualifying applicant within 90 days.
- Require DOE to issue a temporary certificate to a qualifying applicant within 14 calendar days after receipt of a request from an employer.
- Require DOE to electronically notify the applicant's employer that the temporary certificate has been issued and provide the applicant an official statement of status of eligibility at the time the temporary certificate is issued.
- The statement must include each method by which an applicant can complete the qualifications for a professional certificate.



Educator Certification Requirements

The bill revises the types and terms of certification to:

- Allow an applicant who completes the professional preparation and education competence program and is rated highly effective to waive the requirement to take or achieve a passing score on the professional education competency examination in order to be awarded a professional certificate.
- Authorize a 1-year extension of a temporary certificate if the temporary certificate holder is rated effective or highly effective based solely on a student learning growth formula approved by the Commissioner.



Professional Development Certification and Education Competency Program

- The bill authorizes a charter school and charter management organization to provide their own program that must be approved by DOE.
- The bill requires a program to include a teacher mentorship and induction component.
- Adds to the qualifications for each individual selected by the district as a mentor to require the mentor to have completed specialized training in clinical supervision and participate in ongoing mentor training.
- Outlines what the teacher mentorship and induction component must include.
- Provides that mentorship and induction activities must be provided for an applicant's first year in the program and may be provided until the applicant attains his or her professional certificate.



Professional Development Certification and Education Competency Program

- Provides that a principal who is rated highly effective must be provided flexibility in selecting professional development activities.
- Requires DOE to adopt standards for the approval of programs, including standards for the teacher mentorship and induction component, by December 31, 2017.
- Each school district or charter school with a program must submit its program for approval no later than June 30, 2018.
- Provides that, after December 31, 2018, a teacher may not satisfy requirements for a professional certificate through such a program unless it has been approved by the department.



Teacher Preparation Programs

(Both District Administered and Post-Secondary)

- The bill provides that the core curriculum must include scientifically researched and evidence-based reading instructional strategies that improve reading performance for all students, including explicit, systematic, and sequential approaches to teaching phonemic awareness, phonics, vocabulary, fluency, and text comprehension and multisensory intervention strategies.
- An applicant for renewal of a professional certificate with a beginning validity date of July 1, 2020, in any area of certification that includes reading instruction or intervention for any students in K-6, must earn a minimum of 2 college credits or the equivalent in-service points in specific reading strategies.
- Such training must be provided by specified teacher preparation programs.
- These requirements may not add to the total hours required by the department for continuing education or in-service training.



Teacher Certification –Endorsement Areas

- The bill provides that, in order to reduce duplication, the DOE may recommend the consolidation of endorsement areas and requirements to the State Board of Education.
- By July 1, 2018, and at least once every 5 years thereafter, the DOE must conduct a review of existing subject coverage or endorsement requirements in the elementary, reading, and exceptional student educational areas and recommend to the state board changes to the subject coverage or endorsement requirements.



School Community Professional Development Act

- The bill adds to the components of the district professional development system to include:
 - In-service activities and support targeted to the individual needs of new teachers participating in the professional development certification and education competency program;
 - Training to reading coaches, classroom teachers, and school administrators in effective methods of identifying characteristics of conditions such as dyslexia and other causes of diminished phonological processing skills; incorporating instructional techniques into the general education setting which are proven to improve reading performance for all students; and using predictive and other data to make instructional decisions based on individual student needs.
- Requires the DOE to disseminate to the school community proven model professional development programs that have demonstrated success in increasing rigorous and relevant content, increasing student achievement and engagement, meeting identified student needs, and providing effective mentorship activities to new teachers and training to teacher mentors.



American Founders' Month and Civic Literacy

- The bill designates the month of September as “American Founders’ Month” and authorizes the Governor to issue a proclamation urging public and private organizations within the state to celebrate the month.
- The bill encourages all public schools in the state to coordinate instruction related to the nation’s founding fathers with “American Founders’ Month.”
- The bill revises the statutory priorities for Florida’s K-20 education system to expressly state that it is a priority of the system to prepare students to become “civically engaged and knowledgeable adults who make positive contributions to their community.”
- The bill requires the Just Read, Florida! office to develop and provide access to sequenced, content-rich curriculum and resources that help elementary schools use state-adopted instructional materials to increase students’ background knowledge and literacy skills, including attainment of the NGSSS in social studies, science, and the arts.



Charter Schools - Applications

- The bill revises the date a sponsor must receive all charter school applications from August 1, to February 1, beginning in 2018, for a charter school to open 18 months later or at a time agreed to by the applicant and the sponsor.
- The bill removes the provision allowing a charter school applicant to submit a draft application to a sponsor for review.
- The bill increases the amount of time the sponsor has to approve or deny an application from 60 to 90 days.



Charter Schools - Contracts

- The bill requires the sponsor and the charter school governing board to use the standard charter contract which incorporates the approved application and any addenda approved with the application.
- The parties may negotiate the terms of the contract, but any term or condition of a proposed contract that differs from the standard contract shall be presumed a limitation on charter school flexibility.
- The sponsor must notify a charter school if it intends not to renew a contract and provide the charter school with a hearing.



Charter Schools

- The bill clarifies when the controlled open enrollment process applies to charter schools.
- It clarifies that charter schools and their governing boards are subject to the same waiver of sovereign immunity in tort actions as the state, state agencies and or subdivisions.
- The bill revises the definition of “public school prekindergarten provider” to include a charter school.
- The bill deletes the list of specific services that cooperative agreements may provide and instead allows charter schools to enter into cooperative agreements to further any educational, operational or administrative purposes in which participating charter schools share common interests.



High Performing Charter Schools

- The bill allows a high-performing charter school to establish more than one charter school a year only if it chooses to operate in and serve students from a persistently low-performing school.
- The bill provides a high-performing charter school whose application has been denied a hearing by requiring that an appeal of such denial be brought before the Charter School Appeals Commission.
- The commission will make a recommendation to the SBE in accordance with current law.



High Performing Charter School Systems

- The bill clarifies that a high-performing charter school system may replicate a school in any district in the state and establishes a streamlined standard application form for replicating charter schools by a high-performing charter school system.
- The bill outlines what must be included in the standard application form for replicating charter schools by a high-performing charter system.
- The bill requires the review, approval, denial and appeals process for high-performing replication applications to comply with current processes in law.



Charter School Funding, Services, and Fees

- The bill authorizes a nonprofit organization or municipality that operates a charter school to use unrestricted surplus or unrestricted net assets from that school for K-12 educational purposes in other schools they operate in the district.
- The bill specifies language regarding administrative fees for charter schools, high-performing charter schools and charter school systems.
- The bill also requires charter schools to annually complete and submit a survey to rate the timeliness and effectiveness of administrative services provided by sponsors.
- The Department of Education must develop and administer the survey, compile the results by district and include them in the annual authorizer report.



Public Information on Charter Schools and LEA Status

- The bill removes the provision that charter school student performance data be compared to student performance data of traditional public schools.
- The bill revises LEA eligibility status by removing the requirements that a system of charter schools include both conversion charter schools and non-conversion charter schools and the system does not contract with a for-profit service provider for management of school operations.
- The bill also allows a charter school system's governing board to be designated as an LEA for purposes of receiving federal funds for all schools within a school district that are established under a turnaround option and are under the jurisdiction of the governing board.



Charter School Facilities

- The bill clarifies that entities such as libraries, museums, theaters, churches, and colleges may provide space to charter schools, and the charter school shall not have to obtain any special exception, rezoning, or land use change.
- The bill also specifies that a local governing authority may not adopt or impose any student enrollment or occupant load requirements that are more stringent than those addressed by the SREF.



Virtual Instruction Programs

- The bill provides that all K-12 students, including home education and private school students, are eligible for full-time and part-time virtual instruction programs.
- This change gives students in 2nd through 5th grades who did not attend public school in the prior year the ability to enroll in part-time virtual instruction.



Charter School Capital Outlay Funding

- The bill specifies that both district schools and charter schools are eligible for the revenue generated from the discretionary 1.5 millage authorized by state law.
- The bill also provides that charter school capital outlay funding consists of both revenue from the discretionary millage and state funds when such funds are appropriated.
- The bill revises eligibility requirements for charter school capital outlay funds by specifying that the school must be accredited by a regional accrediting association as defined in state board rule, rather than by the Commission on Schools of the Southern Association of Colleges and Schools only.
- The bill also establishes a calculation methodology for the DOE to use to determine the amount of the discretionary 1.5 millage revenue a school district must distribute to each eligible charter school.
- The bill adds as allowable uses of capital outlay funds the purchase or lease of computer hardware necessary for gaining access to electronic content or to serve purposes specified in the charter schools and non-charter public schools digital classrooms plan.



Charter School Capital Outlay Funding

Formula for Local Millage Distribution

- Calculate 1.50 mill revenue generated by the district.
- Reduce 1.50 mill revenue by district's annual debt service obligation as of March 1, 2017, and any amount of special facilities participation requirement satisfied by 1.50 mill revenue.
- Divide by sum of districts' capital outlay FTE and charter school FTE.
- Multiply by charter school's FTE and subtract charter school capital outlay funds allocated from section 1013.62, F.S. (PECO)
- Distribute by February 1, 2017, for 2017-18 fiscal year.



Cost of Construction Caps

- The bill clarifies language that passed last year regarding per student station cost caps.
- It provides that if a contract has been executed for architectural and design services or for construction management services before July 1, 2017, a district school board may use funds from any source for the new construction of educational plant space and such funds are exempt from the total cost per student station requirements.



High School Diploma Requirements

- The bill allows a student who completes 2 seasons of a varsity or junior varsity sport to satisfy the physical education requirements without having to pass a personal fitness exam.
- The bill reduces state assessment requirements by eliminating the Algebra II EOC assessment.

As a result, students seeking a Scholar Designation on their high school diploma will no longer be required to pass the assessment beginning with the 2017-2018 school year.



Statewide Standardized Assessments

- The bill requires that the statewide, standardized ELA and mathematics assessments for grades 3 through 6 be delivered in a paper-based format beginning with the 2017-2018 so that all such assessments are paper-based by the 2018-2019 school year.
- The bill revises the timeline for administering statewide, standardized assessments as follows (Beginning with the 2018-2019 school year):
 - The grade 3 statewide, standardized ELA assessment and the writing portion of the statewide, standardized ELA assessments for grades 4 through 10 must be administered within a 2-week assessment window that opens no earlier than April 1 each year.
 - Any other paper-based statewide, standardized assessment must be administered within a 2- week assessment window that opens no earlier than May 1 each year.
 - Any other computer-based statewide, standardized assessment must be administered within a 4-week assessment window that opens no earlier than May 1 each year.



Statewide Standardized Assessments

- The bill requires that assessment results for the grade 3 statewide, standardized ELA assessment be made available no later than May 31.
- The bill moves the date by which all other statewide assessment results must be made available from the week of June 8 to no later than June 30 of each year.
- The bill requires that the results of the statewide, standardized ELA and mathematics assessments, be reported in an “easy-to read and understandable” format and delivered in time to provide useful, actionable information to students, parents, and to each student’s current teacher and the student’s teacher of record for the subsequent school year.
- Each school district must provide the report within 1 week after receiving the results from the DOE.



Statewide Standardized Assessments

- The bill requires the commissioner to contract for an independent study to determine whether the SAT and ACT may be administered in lieu of the grade 10 statewide, standardized ELA assessment and the Algebra I EOC assessment consistent with the provisions of ESSA.
- The report is due by January 1, 2018.
- The bill requires the creation of a VAM visualization tool that enables teachers to understand and evaluate the data and school administrators to improve instruction, evaluate programs, allocate resources, plan professional development, and communicate with stakeholders.



Publication of Assessment Items

- The bill requires the Commissioner to publish each statewide, standardized assessment and statewide EOC assessment on the DOE's website, excluding retake and alternate assessments, at least once every three years. When published, each assessment must have been administered during the most recent school year.
- The initial publication must occur no later than June 30, 2021, and must include the grade 3 ELA and mathematics assessments, the grade 10 ELA assessment, and the Algebra I EOC assessment.
- The bill requires the DOE, as part of the next procurement of assessments, to solicit cost proposals for publication of assessments. The bill requires the DOE to publish materials on its website to help the public interpret the published assessment information.
- The bill does not authorize or require the publication or release of individual student assessment files.



Personnel Evaluation System

- The bill makes the use of student learning growth data (VAM) in educator personnel evaluations optional.
- A student learning growth component must still account for 1/3 of a teacher's evaluation.
- The District now has flexibility on what they want to use for that component.



School Improvement and Accountability/ Early Warning System

- The bill expands the use of an EWS from middle schools to schools that serve any students in kindergarten through grade 8.
- The bill clarifies that the EWS indicator that identifies a course failure in English language arts or math must be for any grading period and includes a substantial reading deficiency for a kindergarten through grade 3 student as an EWS indicator.
- The bill requires a school-based team, rather than a “child study team,” to be responsible for monitoring EWS data and to implement appropriate intervention strategies for a student who exhibits two or more early learning indicators unless the student is already being served by an intervention program. The team may include a school psychologist.



Instructional Personnel Employment Contracts

- The bill reiterates that a school district must issue contracts on an annual basis and may not:
 - award an annual contract to instructional personnel based on a contingency or condition that is not expressed in law by the Legislature; or
 - alter or limit its authority to award or not award an annual contract to instructional personnel as provided in s. 1012.335, F.S.
- These provisions only apply to collective bargaining agreements entered into or renewed by a district school board on or after this law is enacted.



School Improvement – Changes to DA

- Under the bill, an educational emergency exists if one or more schools in a school district earns a grade of “D” or “F.”
- Once an educational emergency exists, the district must negotiate a memorandum of understanding with its teacher union to provide students at the school with effective teachers and administrators. In addition, the commissioner must assign a community assessment team to review the performance of these schools and identify strategies to address the school’s low performance.
- If a school earns two consecutive grades of “D” or a grade of “F,” it must immediately implement a differentiated matrix of intervention and support strategies and, by September 1, provide the DOE with the memorandum of understanding it must execute as a result of the educational emergency. The school district must also submit a district managed turnaround plan to the SBE by October 1.



School Improvement – Changes to DA

- Upon approval by the SBE, the school district must implement the plan for the remainder of the year and continue implementation for the next full school year.
- The SBE may allow an additional year of implementation if the SBE determines the school is likely to improve to a “C” or higher after the first full school year of implementation.
- If the school’s grade does not improve to a “C” or higher after the additional year (its 4th consecutive grade below a “C”), or after the first full year of implementation if an additional year is not granted, the school must select from the following turnaround options:
 - reassign students to another school and monitor the progress of each student;
 - close the school and reopen as one or more charter schools with a governing board that has a demonstrated record of effectiveness; or
 - contract with an outside entity that has a demonstrated record of effectiveness to operate the school.
- Under the bill, a school is required to implement a district-managed turnaround plan if it earns two consecutive grades of “D” (2015-2016 and 2016-2017) or a grade of “F” (2016-2017).



School Board Visitation of Schools

- The bill expressly requires that a school board member be permitted to visit a district school at any time on any day, with or without an escort and without advance notice.



Schools of Hope

- The bill defines a school of hope as a charter school operated by a hope operator to serve students from one or more persistently low-performing schools; is located within the attendance zone of the persistently low-performing school or within a five mile radius of the school, whichever is greater; and is a Title I eligible school.
- The bill defines hope operators as nonprofit organizations that operate three or more charter schools with a record of serving students from low-income families and receives the designation from the SBE.
- The bill authorizes initial hope operator status to be valid for up to 5 years. If a hope operator seeks renewal of its status, renewal is solely based on the academic and financial performance of all schools established in Florida by the hope operator since its initial designation.



Schools of Hope

- In determining hope operator status, the SBE must determine whether the past performance of the operator meets or exceeds the following criteria:
 - Student achievement results which must exceed the district and state averages in the state in which the school operates
 - College attendance rates at all schools currently operated by the entity which must exceed 80 percent
 - The percent of students enrolled at all schools currently operated by the entity eligible for a free or reduced price lunch which must exceed 70 percent
 - The operator is in good standing with the authorizer in each state in which it operates
 - The audited financial statements of the operator are free of material exceptions and going concern issues
 - Other outcome measures determined by the SBE



Schools of Hope

- A hope operator may also qualify if the operator:
 - was awarded a U.S. Department of Education Charter School Program Grant for Replication and Expansion of High-Quality Charter Schools within the past 3 years;
 - receives funds through the National Fund of the Charter School Growth Funds; or
 - is selected by a district school board as part of the turnaround process requirements under the bill.
- Once measurable criteria is established by the SBE, any operator seeking status as a hope operator must meet the criteria in order to qualify.
- The bill requires that a hope operator submit a notice of intent in order to open a school of hope in the school district where a persistently low-performing school has been identified and outlines what the notice must include.
- Upon receipt of a notice of intent from a Hope Operator, the school district must enter into a performance based agreement within 60 days.



Title I – Equity in School-Level Funding Act

- The bill requires school districts to provide Title I funds directly to all eligible schools and limits the amount of Title I funds that a district may withhold as follows:
 - One percent for parent involvement
 - A necessary and reasonable amount for administration not to exceed eight percent
 - A reasonable and necessary amount to provide specified services
- The bill provides that, after providing Title I funds to schools above the 75% poverty threshold, the district shall distribute all remaining Title I funds to all eligible schools in accordance with federal law and regulation.
- The threshold for identifying eligible schools may not exceed the threshold established by a school district for the 2016-2017 school year or the statewide percentage of economically disadvantaged students, as determined annually.
- Schools may participate in district-wide or district sponsored initiatives by paying a proportionate share of Title I funds to the school district.



Best and Brightest Teacher Scholarships

- The bill extends the Program through July 1, 2020 under the current eligibility requirements.
- The bill revises eligibility criteria beginning with the 2020-2021 school year by:
 - lowering the qualifying assessment score threshold from the 80th percentile to the 77th percentile;
 - recognizing other national, standardized assessments that measure cognitive ability in lieu of the SAT or ACT to include the LSAT, GRE, GMAT, and MCAT;
 - allowing an assessment score in the 71st percentile or higher to qualify if the applicant earned a baccalaureate degree with a designation of cum laude or higher; and
 - allowing teachers to satisfy the highly effective rating requirement based solely on their value added score calculated by the DOE.
- The bill authorizes a \$6,000 scholarship for each eligible classroom teacher.



Best and Brightest Teacher Scholarships

- Effective for the 2017-18, 2018-19, and 2019-20 school years, the bill authorizes:
 - \$1,200 for any classroom teacher who was rated highly effective in the previous school year, including teacher who received the \$6,000 award.
 - Up to \$800 for any teacher who was rated effective in the previous school year.



Best and Brightest Principal Scholarships

- Under the program, a principal may receive a scholarship award, if:
 - He or she has served as principal at the school for at least the last 2 consecutive school years; and
 - The faculty at his or her school has a ratio of best and brightest teachers to other classroom teachers that is at the 80th percentile or higher, statewide, for that school type.
- Principals of Title I schools will be awarded a scholarship of \$5,00.
- Principals of non-Title I schools will be awarded a scholarship of \$4,000.
- The bill also requires school districts to provide a principal designated as best and brightest with the same autonomy principals participating in PAPPI have concerning budgetary and personnel decisions.



Best and Brightest Principal Scholarships

- The bill requires each school district, by December 1 each year, to provide the name and master school identification (MSID) number of each school in the district to which a teacher eligible for an award is assigned.
- The district must also provide the name of the school principal of each eligible teacher's school if he or she has served as the school's principal for at least 2 consecutive school years, including the current school year.
- By February 1 each year, the DOE must identify qualifying principals and disburse funds to each school district for each eligible principal to receive the award.
- By April 1, each school district must provide payment of the award to each eligible principal.
- The bill specifies that the term "school district," for purposes of the Best and Brightest Principal Program, includes the Florida School for the Deaf and the Blind and charter school governing boards.



Gardiner Scholarship Program

- The bill expands access to the GSP by including dual sensory impaired as a qualified disability and expands the eligible uses of funds.
- The bill increases accountability by:
 - prohibiting parents, students or a provider of services from billing an insurance company, Medicaid or any other agency for the same services that are paid using GSP funds;
 - providing that a private school may not be eligible to participate in the program if its financial reports have consecutive years of material exceptions;
 - defining “inactive” to mean that no eligible expenditures have been made from the scholarship account and requiring that payments from the state into the account stop if the account has been inactive for two consecutive fiscal years; and
 - closing a scholarship account and reverting funds to the state if the account has been inactive for three consecutive years.



Mandatory Recess

- Requires K through 5 students at traditional public schools to be provided at least 100 minutes of supervised, safe, and unstructured free-play recess each week so that there are at least 20 consecutive minutes of free-play per day.
- Charter schools are exempt from the requirement.



Student and Parent Rights

Absence for Treatment of Autism Spectrum Disorder

- The bill requires district school boards to adopt student absence policies regarding student appointments to receive autism spectrum disorder therapy.

Sun-Protective Measures in School

- The bill provides that a student may possess and use a topical sunscreen product while on school property or at a school-sponsored event or activity without a physician's note or prescription.



Reading Instruction and Intervention

- The bill requires district school boards, when allocating remedial and supplemental instruction resources, to give the highest priority to students in K-3 who have a substantial reading deficiency.
- The bill requires that data from the kindergarten screening, along with other available data, be used to identify students in need of intervention and support.
- The bill requires that students in K-3 who are identified as having a substantial reading deficiency be provided an individual progress monitoring plan, a federal plan (such as an IEP), or both if necessary.
- Once a student is identified as having a substantial reading deficiency, instructional strategies and goals must be developed based on the individual student's needs. Students must be provided intensive, explicit, systematic, and multisensory reading interventions immediately following identification.
- The SBE must identify in rule guidelines for defining a substantial reading deficiency.



Reading Instruction and Intervention

- The bill prohibits schools from waiting until a student receives a failing grade at the end of the grading period to identify the deficiency and initiate interventions.
- The bill requires that the interventions school districts provide to students who are retained in 3rd grade include evidence-based, explicit, systematic, and multisensory instruction in phonemic awareness, phonics, fluency, vocabulary, and comprehension.
- Beginning July 1, 2020, retained 3rd grade students must be taught by a teacher who holds a reading certification or endorsement.
- The bill also deletes duplicative language regarding good cause exemptions for retained third-grade students and requires intensive interventions for any student with a substantial reading deficiency who may be promoted using a good cause exemption.



Instructional Materials

- Beginning July 1, 2021, each district school superintendent must certify to the commissioner, prior to the release of instructional material funds, that the district's K-5 core and supplemental intervention reading materials incorporate the instructional and intervention strategies identified by the Office.
- The certification requirement applies to core reading materials starting with the next English language arts instructional materials adoption cycle, which will occur in 2020.



Middle Grades Promotion

- The bill eliminates the career and education planning course from middle school curriculum and promotion requirements.



Minority Teacher Education Scholars Program

- The bill revises eligibility criteria for participation in the minority teacher education scholars program so it is available to all eligible undergraduates.
- In addition, the bill authorizes a student to use the scholarship to pursue a graduate degree with a major in education that leads to initial certification.

Committees/ Pilot Programs

The Committee on Early Grades Success

- The program is created within the Department of Education to develop a proposal for establishing and implementing a coordinated child assessment system for the School Readiness Program, the Voluntary Prekindergarten Program, and the Kindergarten Readiness Assessment.
- The bill provides for the committee's duties and membership.

Early Childhood Music Education Incentive Pilot Program

- The bill establishes the 3-year program within the DOE to assist selected school districts in implementing comprehensive music education programs for students in grades K-2.
- Funding for the program was vetoed.



Shared Use of School Buildings and Property – Task Force

- The bill establishes the legislative intent of increasing the number of schools that open their playground facilities to community use outside of school hours.
- The department shall provide technical assistance to school districts and create a toolkit containing useful information and the development of publically accessible online database of shared use resources and existing shared use agreements.
- The bill creates a Shared Use Task Force to identify barriers in creating shared use agreements and to make recommendations to facilitate the shared use of school facilities generally and in high-need communities.
- The task force shall submit a report of its findings by June 30, 2018.



Appropriations

The bill appropriates \$413,950,000 in recurring General Revenue Funds and \$5 million in non-recurring General Revenue Funds to implement the provisions of the bill as follows:

- \$233,950,000 in recurring funds to implement the Best and Brightest Teacher and Principal Scholarship Programs;
- \$30 million in recurring funds to implement the Gardiner Scholarship Program;
- \$10 million in recurring funds and \$5 million in nonrecurring funds to implement the bill's provisions relating to statewide student assessments; and
- The remainder of the funds, \$140 million, will be used to implement the remaining provisions of the bill, including the provisions relating to schools of hope.



Education Related Legislation That Passed

- HB 15 – Educational Options
- SB 80 – Public Records
- HB 293 – Middle Grades
- HB 371 – Assistive Technology Devices
- SB 436 – Religious Expression in Public Schools*
- HB 493 – Enhanced Safety at School Crossings
- HB 989 – Instructional Materials*
- HB 1109 – Private School Student Participation in Extracurricular Activities
- HB 1239 – School Bus Safety
- SB 7022 – Public Employees*
- SB 8A – Medical Marijuana*
- HB 7069 – Education*



HB 15 – Educational Options

- The bill expands the definition of disability used for determining eligibility and services for the Gardiner Scholarship and increases the scholarship amount and transportation allowance for students residing outside the district for the Tax Credit Scholarship.



SB 80 – Public Records

- The bill requires a court to award attorney fees and costs to a plaintiff who sues an agency to enforce a public records request if the court determines that:
 - the agency unlawfully refused access to a public record; and
 - the plaintiff provided written request for the public records to the agency's records custodian at least five business days before filing the lawsuit.
- The plaintiff is not required to provide written notice if the agency does not post the records custodian's contact information in the agency's primary administrative building and on the agency's website.
- A court must also determine if a plaintiff requested records or otherwise participated in an enforcement action for an improper purpose.
- Provisions in the bill apply only to public records requests made on or after the effective date of the act.



HB 293 – Middle Grades

- The bill requires the DOE to issue a competitive solicitation for a contract to conduct a comprehensive study of states with high performing students in grades 6 through 8 in reading and mathematics, based on states' performance on the National Assessment of Educational Progress.
- The DOE must submit a report by December 2017 on the findings of the study and make recommendations to improve middle school student performance.
- Provides for an appropriation in the sum of \$50,000 in nonrecurring funds from the General Revenue Fund, for the 2017-2018 fiscal year, to the DOE for implementation of the comprehensive study in middle school performance.



HB 371 – Assistive Technology Devices

- The bill revises provisions related to the use of assistive technology devices by students with disabilities to allow them to take the devices home and to the community.



HB 493 – Enhanced Safety at School Crossings

- The bill requires the Florida Department of Transportation (FDOT) to evaluate the viability and cost of a uniform system of pavement markings and signage for use on all state and local arterial or collector roads within a one-mile radius of all public and private schools for the purpose of designating safe school crossing locations.
- Before January 1, 2018, the FDOT must submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives providing the findings of its study and any recommendations for legislation relating to safe school crossing locations.



HB 1109 – Private School Student Participation in Extracurricular Activities

- The bill provides additional options by allowing a student in such a private school to participate in interscholastic or intrascholastic activities at the public school where the student could choose to attend pursuant to controlled open enrollment, if the school has not reached capacity.



HB 1239 – School Bus Safety

- The bill creates the “Cameron Mayhew Act” to require a driver who illegally passes a stopped school bus resulting in death or serious bodily injury of another person to serve 120 community service hours in a trauma center or hospital and to participate in a victim’s impact panel or attend a Department of Highway Safety and Motor Vehicles approved driver improvement course that relates to the rights of vulnerable road users relative to vehicles on the roadway.
- The bill also imposes a \$1,500 fine; a 1-year driver license suspension; and two additional points, for a total of 6 points added to a person’s driver license for drivers who illegally pass a stopped school bus resulting in death or serious bodily injury of another person.

