

Emergent Design and Development, Inc.
Legislative Update #3
November 17, 2009

We have completed two of the eight Committee weeks which are scheduled prior to the opening of the regular session on March 2, 2010. The only clear direction that has been signaled by Legislative Leaders is the agreement on the major shortfall of revenue that will face the Appropriations Committees. The Recession continues in Florida and it will take much longer than anticipated to recover and return to the “good old days” when revenue increased each year.

1. THE FLORIDA FINANCIAL PICTURE LEADS TO BUDGET DEFICITS

- A. Next year’s revenue projection is less than the current year’s actual revenue
Recent reports indicate that Florida is among 10 states facing budget disasters
Appraised value of property ...down
Home prices ...down
Sales Tax collections...down
Doc. Stamps, fee collections, etc....less than expected
School Taxable Values...down by 11%
Unemployment...up

- B. Impact on the Budget
Two years ago the State Budget was \$72.2 billion
Current State Budget is \$66 billion
The next State Budget could be \$ 62.6 billion or less
This year we used Stimulus money and Reserves to balance the Budget (reserves gone)

- C. Impact upon Education?
Possibly a reduction in the Base Student Allocation
Special projects will not be funded
PECO (construction) funds will be much less
District costs will rise (unemployment insurance, salaries, and benefits)

2. The National Recession is ending (the longest recession since the Great Depression)

- A. The nation is in the 23rd month of an expected 28 month recession
- B. The recovery will probably be delayed in Florida as much as 1 year due to:
 - Reliance upon Tourism
 - Reliance upon Home Sales and new Construction
 - Reliance on sales tax
- B. Florida’s economy will improve only after people in other states have expendable income

3. “Race to the Top” Impact upon Florida

- A. The “Pillars” of the Program:
 - 1. Improving standards and assessments
 - 2. Increasing the effectiveness of teachers and leaders
 - 3. Building and using data systems to inform educator’s decisions
 - 4. Turning around the countries lowest performing schools
- B. Expect teacher evaluation to be tied to student achievement
- C. Expect Salaries to be tied to evaluations
- D. Relocation of “Excellent Teachers” to low performing schools?
- E. Florida is in category 1 for potential funding (\$350-700 Million)

4. New High School Grading System Required by SB 1908

- A. Current system 100% FCAT, new system 50% FCAT
- B. Points for participation in accelerated coursework, e.g., AP, Dual Enrollment, IB, AICE.
- C. Points for performance in accelerated coursework
- D. Points for postsecondary readiness
- E. Points for the graduation rate of at-risk students
- F. RECALCULATION OF THE GRADUATION RATE AS FOLLOWS:
 - In 2009-10 and 2010-11 non-graduates are dropouts, recipients of certification of completion, GED recipients, and non-on-time graduates
 - In 2011-12 and onward, non-graduates include the above , plus Special diplomas and transfers to adult education or Division of Juvenile Justice who are not standard diploma recipients
- G. The system has rewards for growth and penalties for decline, in components

5. Proposed for 2010 Session - HB 61 (a similar bill failed to pass last year)

- A. Requires that students must be advised of the AP, IACE, Career Academy coursework that leads to National Industry certification, and dual enrollment courses as well as courses offered by the Florida Virtual School.
- B. Phases in the higher level Mathematics requirements from the current Alg. I requirement to include Geometry for 9th graders entering in 2011-12 and to additionally include Alg. II for 9th grade students entering in 2013-14.
- C. Phases in the higher level Science requirements from the current Biology I requirement, to include one credit of Physical Science for 9th graders entering in 2011-12 and to additionally include one credit in Chemistry or Physics for 9th graders entering in 2013-14.
- D. These new requirements have caused several interesting discussions centering on:
 - 1. Will this increase the dropout rate?
 - 2. Will it lead to a shortage of teachers (Certified and Qualified for higher level courses)?
 - 3. Will it lead to discussions regarding differentiated diplomas?
 - 4. Will it lead to the increased use of Virtual Education?

6. **Interim Committee Meeting Schedule for 2010-11**

December	December 7-11
January	January 11-15
	January 19-22
February	February 1-5
	February 8-12 (appropriations only)
	February 15-19

Special Session, if called would be held during one of the above scheduled weeks. The call for a Special Session has not been given. If issued ,it would only address the high speed rail system proposal for Central Florida. Oil drilling and the Seminole gaming contract will probably be addressed in the regular session.

7. **Common Standards and Common Assessments**

The Obama administration has proposed giving states that adopt common standards an advantage in seeking "Race to the Top funds". Governors and chief state school officers in 51 states and territories have agreed to work on common standards. The U.S. Department of Education is now looking at assessments to match the development of common standards. The USDOE has \$350 million in economic stimulus money to aid consortia of states in developing common assessments in reading and mathematics. A display of the standards development process is available at:

<http://www.corestandards.org/Files/CCSSIPProcess.pdf>

8. **Bills of Interest Filed prior to Nov.13**

see attached

- HB 0023 Relating to Parole for Adolescent Offenders** Weinstein
Parole for Adolescent Offenders: Designates act "Second Chance for Children in Prison Act"; provides that adolescent offender who was younger than specified age at time of offense & sentenced to life or 10 years or more in prison is eligible for parole if incarcerated for minimum period & has not previously been convicted of or adjudicated delinquent for certain offenses; requires interview; provides criteria to determine sufficient rehabilitation; provides eligibility for re-interview after specified period if denied parole; provides that offender be incarcerated in facility with GED program; provides that if granted parole, offender must participate in any available reentry program for specified period; provides priority for certain programs; provides for eligibility for certain offenders incarcerated on effective date of act. Effective Date: upon becoming a law, and applies with respect to offenses committed before, on, or after that date
- HB 0059 Relating to Athletic Coaches** Gibbons
Athletic Coaches: Requires independent sanctioning authority of youth athletic team to screen background of current & prospective coaches through designated state & federal sex offender registries; requires disqualification of coach appearing on registry; requires written notice to disqualified coach; provides rebuttable presumption that sanctioning authority did not negligently authorize coach for purposes of civil action for an intentional tort relating to alleged sexual misconduct by coach if authority complied with screening & disqualification requirements; encourages independent sanctioning authorities for youth athletic teams to participate in specified screening system. Effective Date: July 1, 2010
- HB 0061 Relating to High School Graduation** Fresen
High School Graduation: Requires that students be advised of availability of certain courses; provides credit requirements for high school graduation with standard diploma beginning with students entering grade 9 in 2011-2012 school year & students entering grade 9 in 2013-2014 school year; deletes provisions relating to general requirements for high school graduation to conform to changes made by act; provides for accommodations for students with disabilities for purposes of graduation; authorizes award of standard high school diploma to certain honorably discharged veterans; requires passing scores on grade 10 FCAT to meet grade-level proficiency. Effective Date: July 1, 2010
- HB 0081 Relating to Use, Prevention, and Reduction of Seclusion and Restraint on Students with Disabilities in Public Schools** Hukill
Use, Prevention, and Reduction of Seclusion and Restraint on Students with Disabilities in Public Schools: Provides that manual physical restraint shall be used only in emergency when there is imminent risk of serious injury or death to student or others; provides restrictions on use of manual physical restraint; prohibits use of manual physical restraint by school personnel who are not trained & certified to use district-approved methods for applying restraint techniques; prohibits school personnel from placing student in seclusion; provides requirements for use of time-out; requires school to prepare incident report after occasion of student restraint; requires development & revision of school district policies & procedures. Effective Date: July 1, 2010
- HB 0085 Relating to Allocation and Expenditure of State Lottery Revenues** Clarke-Reed
Allocation and Expenditure of State Lottery Revenues: Requires portion of Powerball net revenues to be allocated to voluntary prekindergarten education programs; provides for use of funds. Effective Date: October 1, 2010
- HB 0093 Relating to Cost and Benefit Analysis of Legislation** Crisafulli
Cost and Benefit Analysis of Legislation: Authorizes legislative leadership to request special impact sessions of Revenue Estimating Conference to consider cost & benefit analysis of legislation; establishes timeframes; requires Office of Economic & Demographic Research & other principals to develop protocols & procedures; requires report & utilization of protocols & procedures until affirmatively revoked. Effective Date: upon becoming a law
- HB 0105 Relating to Middle School Civics Education Assessment** McBurney
Middle School Civics Education Assessment: Designates act "Justice Sandra Day O'Connor Civics Education Act"; provides requirements for civics education course that student must successfully complete for middle grades promotion beginning with students entering grade 6 in 2012-2013 school year; requires administration of end-of-course assessment in civics education as field test at middle school level during 2012-2013 school year; provides requirements for course grade & course credit for subsequent school years; requires inclusion of civics education end-of-course assessment data in determining school grades beginning with 2013-2014 school year. Effective Date: July 1, 2010
- HB 0117 Relating to Childhood Vaccinations** Ambler
Childhood Vaccinations: Revises requirements for administration of certain vaccines required for school entry; requires licensed health care providers to provide certain vaccine information statements to parents, legal guardians, & legal representatives before administration of certain vaccines to children; requires health care providers to obtain signed statements from parents, legal guardians, & legal representatives documenting that vaccine information statements are provided; specifies required contents of signed statements; requires health care providers to record batch & lot number of each vaccine on signed statements; requires health care providers to maintain certain records; provides for application of act to certain vaccine information statements; authorizes use of single signed statement for administration of multiple vaccines under certain circumstances. Effective Date: July 1, 2010



- HB 0119 Relating to Sexual Offenders and Predators** Glorioso
Sexual Offenders and Predators: Prohibits loitering or prowling by certain offenders within specified distance of places where children regularly congregate; prohibits certain actions toward child at public park or playground by certain offenders; prohibits presence of certain offenders at or on grounds of child care facility or pre-K through 12 school without notice & supervision; provides exceptions; revises provisions relating to reporting requirements for sexual offenders & predators who are in transient status; preempts certain local ordinances relating to residency limitations & provides exceptions; revises provisions relating to residence reporting requirements for sexual offenders & predators; revises provisions relating to polygraph examinations; provides additional restrictions for certain conditional releasees, probationers, or community controllees who have committed sexual offenses against minors under age of 16. Effective Date: July 1, 2010
- SB 0120 Relating to Florida Comprehensive Assessment Test** Bullard (L)
Florida Comprehensive Assessment Test; Removes the requirement that a district school board adopt policies for meeting class size maximums which allow a student to graduate from high school if the student passes the grade 10 FCAT. Removes the requirements that a student earn a passing score on the FCAT or alternative assessment to graduate from high school, etc. EFFECTIVE DATE: 07/01/2010.
- SB 0124 Relating to School Entry Requirements/Swimming Life Skills** Bullard (L)
School Entry Requirements/Swimming Life Skills; Requires that children who enter public or private schools in the state present evidence of having completed a class in swimming life skills conducted by a certified instructor. Provides for certain exemptions from the requirement. Amends specified provisions relating to student and parent rights and requirements for private schools, etc. EFFECTIVE DATE: 07/01/2010.
- HB 0129 Relating to Leaves of Absence for State Officers and Employees Engaged in Military Training** Renuart
Leaves of Absence for State Officers and Employees Engaged in Military Training: Increases number of hours granted as leave of absence to state officer or employee engaged in military training. Effective Date: July 1, 2010
- SB 0140 Relating to School Food Service Programs** Siplin
School Food Service Programs; Creates the Florida Farm Fresh Schools Program within the DOE. Requires the department to work with the DOACS to recommend policies and rules to the State Board of Education relating to school food services which encourage schools and school districts in this state to buy fresh and local food. Requires the DOE, in collaboration with the DOACS, to provide outreach services regarding the benefits of fresh food products in this state, etc. EFFECTIVE DATE: 07/01/2010.
- SB 0144 Relating to Student Financial Assistance** Ring
Student Financial Assistance; Creates the Sure Futures Scholarship Program. Requires that the Board of Governors of the State University System administer the program. Provides eligibility criteria for participation in the program by students and sponsors. Authorizes sponsors to establish terms of sponsorship and specify state universities or private colleges or universities at which a student may enroll to receive sponsorship, etc. EFFECTIVE DATE: 07/01/2010.
- SB 0154 Relating to Workplace Safety** Lynn
Workplace Safety; Requires public employers to submit by a certain date injury and illness data to the Division of Workers' Compensation in the DFS using a specified form. Requires the division to establish a toll-free telephone number for public employees relating to workplace safety by a certain date. Revises the annual report submitted by the DFS to include an analysis and summary on public employers' work-related injuries and workers' compensation claims, etc. EFFECTIVE DATE: 07/01/2010.
- SB 0160 Relating to Sales Tax Exemption/Books/Clothing/School Supplies** Baker
Sales Tax Exemption/Books/Clothing/School Supplies; Specifies a period during which the sale of books, clothing, and school supplies is exempt from the tax on sales, use, and other transactions. Provides definitions and exceptions. Authorizes the DOR to adopt rules. APPROPRIATION: \$251,317. EFFECTIVE DATE: Upon becoming law.
- HB 0169 Relating to Education in Public Schools Concerning Human Sexuality** Fitzgerald
Education in Public Schools Concerning Human Sexuality: Creates "Florida Healthy Teens Act"; requires public schools that provide certain information or programs to students concerning human sexuality to provide information that meets specified criteria; authorizes parents or guardians to seek review of school's compliance & provides for corrective actions; provides for exemption from certain teaching. Effective Date: July 1, 2010
- HB 0175 Relating to Public Broadcasting Program System** Rogers
Public Broadcasting Program System: Includes certain television stations licensed by FCC for which support & funding may be given. Effective Date: July 1, 2010



- HB 0193 Relating to Health Education** Jones (M)
Health Education: Provides for mandatory one-half credit in health education, independent of physical education credit requirement, for high school students; provides waiver for students who request to take & successfully complete health education assessment developed by DOE; reduces number of credits in elective courses. Effective Date: July 1, 2010
- SB 0206 Relating to District School Board Policies and Procedures** Hill
District School Board Policies and Procedures; Provides legislative intent to recognize student academic achievement. Encourages each district school board to adopt policies and procedures that provide for an annual "Academic Scholarship Signing Day." EFFECTIVE DATE: 07/01/2010.
- HB 0209 Relating to Student Assessment in the Public Schools** Bullard (D)
Student Assessment in the Public Schools: Terminates administration of FCAT to students in grades 9 through 12; requires PSAT/NMSQT to replace grade 10 FCAT for purposes of measuring student's knowledge & skills; requires students to take PSAT/NMSQT in grade 10 & earn passing scores to qualify for standard high school diploma; requires State Board of Education to designate passing scores; requires use of student performance on PSAT/NMSQT for school grading purposes; provides for application beginning with students entering grade 9 in 2011-2012 school year. Effective Date: July 1, 2010
- SB 0224 Relating to Student Statewide Assessments/Religious Holidays** Ring
Student Statewide Assessments/Religious Holidays; Revises provisions relating to the schedule for administering comprehensive statewide assessments. Provides that a comprehensive statewide assessment may be administered the week before the week of April 15 if a religious holiday occurs during that week. EFFECTIVE DATE: 07/01/2010.
- SB 0228 Relating to Charter Technical Career Centers** Wise
Charter Technical Career Centers; Creates the Charter Technical Career Center Associate in Applied Science and Associate in Science Degrees Program. Authorizes charter technical career centers to offer such degree programs through partnerships with community colleges or direct authority. Prohibits a center from requesting funding for the initial costs associated with implementing the degree programs for a specified amount of time after receiving authorization, etc EFFECTIVE DATE: 07/01/2010.
- HB 0231 Relating to Statewide Assessments** Kiar
Statewide Assessments: Revises provisions relating to schedule for administering comprehensive statewide assessments to provide exception with respect to certain religious holidays. Effective Date: July 1, 2010
- SB 0248 Relating to Tuition/Resident Status Determination** Wilson
Tuition/Resident Status Determination; Provides conditions for reclassification as a resident for tuition purposes. Requires that evidence be provided relating to dependent status. Provides additional categories within which students may be classified as residents for tuition purposes. Limits eligibility for state financial aid, etc. EFFECTIVE DATE: 07/01/2010.
- SB 0270 Relating to Florida Building Code** Bennett
Florida Building Code; Expresses the legislative intent to revise laws relating to the Florida Building Code. EFFECTIVE DATE: 07/01/2010.
- HB 0271 Relating to Offenses by Public Officials or Others** Kiar
Offenses by Public Officials or Others: Prohibits engaging in certain activities to deprive another of his or her right of honest services; provides for construction in accordance with specified federal law. Effective Date: October 1, 2010
- SB 0272 Relating to Florida Building Code** Bennett
Florida Building Code; Expresses the legislative intent to revise laws relating to the Florida Building Code. EFFECTIVE DATE: 07/01/2010.
- SB 0274 Relating to Growth Management** Bennett
Growth Management; Expresses the legislative intent to revise laws relating to growth management. EFFECTIVE DATE: 07/01/2010.
- SB 0276 Relating to Growth Management** Bennett
Growth Management; Expresses the legislative intent to revise laws relating to growth management. EFFECTIVE DATE: 07/01/2010.
- SB 0278 Relating to Property Taxes** Bennett
Property Taxes; Expresses the legislative intent to revise laws relating to property taxes. EFFECTIVE DATE: 07/01/2010.



- SB 0280 Relating to Property Taxes** Bennett
Property Taxes; Expresses the legislative intent to revise laws relating to property taxes. EFFECTIVE DATE: 07/01/2010.
- HB 0299 Relating to Extended School Day Programs** Bullard (D)
Extended School Day Programs; Creates pilot program in Miami-Dade County that authorizes school districts to enter into agreements with county recreation department for purpose of using facilities for extended school day programs in approved middle schools & high schools. Effective Date: July 1, 2010
- SB 0416 Relating to Bicycle Safety/Helmets and Lighting Equipment** Bullard (L)
Bicycle Safety/Helmets and Lighting Equipment; Revises safety standard requirements for bicycle helmets that must be worn by certain riders and passengers. Provides for enforcement of requirements for bicycle lighting equipment. Provides penalties for violations. Provides for dismissal of the charge following a first offense. EFFECTIVE DATE: 10/01/2010.
- SB 0418 Relating to Cell Phones/Motor Vehicle Operators/School Zones** Bullard (L)
Cell Phones/Motor Vehicle Operators/School Zones; Prohibits the use of a cellular telephone while operating a motor vehicle in a school zone. Provides an enhanced penalty. EFFECTIVE DATE: 07/01/2010.
- SB 0420 Relating to Student Assessment/Public Schools/FCAT** Bullard (L)
Student Assessment/Public Schools/FCAT; Terminates the administration of the Florida Comprehensive Assessment Test (FCAT) to students in grades 9 through 12. Requires the Preliminary SAT/National Merit Scholarship Qualifying Test (PSAT/NMSQT) to replace the grade 10 FCAT for purposes of measuring a student's knowledge and skills. Requires students to earn passing scores on the PSAT/NMSQT to qualify for a standard high school diploma, etc. EFFECTIVE DATE: 07/01/2010.
- SB 0434 Relating to Suicide Prevention Education** Sobel
Suicide Prevention Education; Requires that district school boards provide access to educational resources regarding suicide prevention to all instructional and administrative personnel. Provides for school personnel who choose to participate in suicide prevention training to receive in-service credit hours. Requires that each district school board determine the amount of such credit. EFFECTIVE DATE: 07/01/2010.
- SB 0472 Relating to Pub. Broadcasting Program System/Support/Funding** Sobel
Pub. Broadcasting Program System/Support/Funding; Includes certain television stations licensed by the Federal Communications Commission for which support and funding may be given. EFFECTIVE DATE: 07/01/2010.
- SB 0478 Relating to Health Education** Sobel
Health Education; Provides for a mandatory one-half credit in health education, independent of physical education credit requirements, for high school students. Provides a waiver for students who request to take and successfully complete a health education assessment developed by the Department of Education. Reduces the number of credits in elective courses. EFFECTIVE DATE: 07/01/2010.
- SB 0642 Relating to Public K-12 Education/Teen Dating Violence & Abuse** Smith
Public K-12 Education/Teen Dating Violence & Abuse; Provides that comprehensive health education taught in the public schools shall include a component on teen dating violence and abuse for students in grades 7 through 12. Requires district school boards to adopt and implement a dating violence and abuse policy. Provides policy requirements. Requires the Department of Education to develop a model policy. Requires school personnel training. EFFECTIVE DATE: 07/01/2010.
- SB 0660 Relating to Defined Contribution Retirement Program** Fasano
Defined Contribution Retirement Program; Changes the name of the Public Employee Optional Retirement Program to the Public Employee Retirement Investment Program. Limits the option of enrolling in the State Retirement System's defined benefit program or defined contribution program to public employees employed before January 1, 2011. Deletes requirements for an educational program that compares retirement programs, etc. EFFECTIVE DATE: 07/01/2010.
- SB 0686 Relating to Public Records and Meetings** Jones (D)
Public Records and Meetings; Expresses the legislative intent to revise laws relating to public records and meetings. EFFECTIVE DATE: 07/01/2010.
- SB 0690 Relating to Local Government Accountability** Dean
Local Government Accountability; Directs the DCA to institute procedures declaring that a special district is inactive. Specifies the level of detail required for each fund in the sheriff's proposed budget. Amends specified provision relating to the review of the actuarial reports and statements of retirement plans of governmental entities by the DMS. Revises provisions relating to the preparation of special district budgets, etc. EFFECTIVE DATE: Upon becoming law.