

SENATE STAFF ANALYSIS AND ECONOMIC IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: Education Committee

BILL: SB 1148

INTRODUCER: Senator King

SUBJECT: Education Personnel

DATE: March 17, 2006

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	deMarsh-Mathues	Matthews	ED	Favorable
2.	_____	_____	EA	_____
3.	_____	_____	_____	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

I. Summary:

A regional professional development academy may receive funds from the Department of Education (DOE) or under the General Appropriations Act (GAA) if the academy is financed during the first year of operation by an equal or greater match from private funding sources and demonstrates the ability to be self-supporting within one year after opening. The bill provides that a regional professional development academy is not a component of any school district or governmental unit to which it provides services.

This bill substantially amends section 1012.985 of the Florida Statutes.

The effective date of the bill is upon becoming a law.

II. Present Situation:

School Community Professional Development Act

Under the School Community Professional Development Act, public postsecondary institutions, school districts, and public schools are tasked with establishing a coordinated system of professional development.¹ The 2000 Legislature revised the provisions of the act to require each school district to develop a professional development system and a district in-service master plan for all employees.² The DOE must approve the district system and the master plan must be approved each year by the district school board. The master plan must include all in-service educational components for all employees from all funding sources. It must include the following areas:

¹ Section 1, ch. 95-236, L.O.F.; previously known as the Teacher Education Center Act of 1973, ss. 41-52, ch. 73-338, L.O.F.

² Section 1012.98, F.S., and Chapter 2000-310, L.O.F.

- Professional development and staff development activities for implementing school improvement plans for the current fiscal year;
- In-service training for school reform and accountability; and
- District management training programs.³

School districts participate in a professional development system review by the DOE through a multi-year site visit schedule.

Federal and state funds support professional development. The federal No Child Left Behind Act, for example, requires states to show an annual increase in the percentage of teachers participating in “high quality professional development” and provides funds to states and districts related to these activities.⁴ Through the GAA, the Legislature provides funds to support professional development.

Each district school board must provide funding for the professional development system as required in s. 1011.62, F.S., and the GAA, and must direct expenditures from other funding sources to strengthen the system and make it uniform and coherent. Districts may coordinate their professional development programs with other districts, educational consortiums, community colleges, or universities. The law does not limit or discourage school boards from contracting with independent entities for professional development services and in-service education if the district school board can demonstrate to the Commissioner of Education that, through such a contract, a better product can be acquired or its goals for education improvement can be better met.

There are a number of providers that offer professional development activities for teachers, principals, and other education professionals, including regional consortiums, university and regional academies, and other public and private partnership models.

Regional Professional Development Academies

Current law establishes a statewide system of professional development consisting of a network of professional development academies in each region of the state that are operated in partnership with area business partners to develop and deliver high-quality training programs purchased by school districts.⁵ The Commissioner of Education must allocate funds appropriated for the initiation of professional development academies unless otherwise provided in the GAA.

To be eligible for startup funds, an academy must meet specific requirements, including the following:

- Be established by the collaborative efforts of one or more district school boards, members of the business community, and postsecondary educational institutions which may award college credits for courses taught at the academy;

³ Rule 6A-5.071, F.A.C.

⁴ See 20 U.S.C. s. 7801(34), which specifies the criteria for “high-quality professional development” activities, and 20 U.S.C. s. 6319.

⁵ Section 1012.985, F.S.

- Demonstrate the capacity to provide effective training to improve teaching skills in the areas of elementary reading and mathematics, the use of instructional technology, high school algebra, and classroom management, and to deliver the training using face-to-face, distance learning, and individualized computer-based delivery systems;
- Propose a plan for responding to the professional development needs of teachers, managers, administrative personnel, schools, and districts to improve student achievement and meet state and local education goals;
- Demonstrate the ability to provide high-quality trainers and training, appropriate follow-up and coaching for all participants, and support school personnel in positively impacting student performance;
- Own or lease a facility to deliver training onsite and through distance learning and other technology-based delivery systems;⁶ and
- Provide professional development services for the participating school districts as specified in the contract.⁷

An academy must be operated under contract with its public partners and governed by an independent board of directors. The board must be composed of at least one district school superintendent and one district school board chair from the participating school districts, the president of the collective bargaining unit that represents the majority of the region's teachers, and at least three individuals who are not employees or elected or appointed officials of the participating school districts. Academies may provide professional development services to other school districts, private schools, and individuals on a fee-for-services basis.

During the first year of operation, the academy must be financed by an equal or greater match from private funding sources and demonstrate the ability to be self-supporting within 1 year after opening through fees for services, grants, or through private contributions.

Schultz Center for Teaching and Leadership, Inc.

Created under s. 1012.985, F.S., the Schultz Center for Teaching and Leadership, Inc., (Center) is a regional leadership academy that provides professional development services to Baker, Clay, Duval, Nassau and St. John's county schools.⁸ The Duval County School Board entered into a memorandum of agreement on December 5, 2000, with the Center to collaboratively establish the academy. The Department of Education has not identified any other academy that was created pursuant to this section.

As an independent nonprofit organization, the Center provides programs for educators and administrators, including standards based literacy training, school district leadership, technology training, and distance learning.⁹ In 2001, the Center was selected as a member of the Southern

⁶ The participating district school boards may lease a site or facility to the academy for a nominal fee and may pay all or part of the costs of renovating a facility to accommodate the academy. The academy is responsible for all operational, maintenance, and repair costs.

⁷ Regional educational consortia, as defined in s. 1001.451, F.S., satisfy the requirements for contracting and are exempt from the matching requirements.

⁸ See <http://www.schultzcenter.org/>

⁹ 2003-2004 Annual Report of the Schultz Center for Teaching and Leadership, Inc., See <http://www.schultzcenter.org/annualreport2003-2004.pdf>

Regional Education Board's Leadership Academy Program to train school leadership teams to lead instructional improvement efforts in the schools.

In 2005, the Auditor General conducted an operational audit of the Duval County School Board and reviewed the agreements for the operation of the Center and the provision of professional development services.¹⁰ The audit report raised concerns about the Center's financial dependency upon district funding.¹¹ The audit recommended that the district assist in evaluating the Center's ability to be self-supporting as intended by law.¹²

III. Effect of Proposed Changes:

After complying with s. 1012.985, F.S., for the first year of operation, a regional professional development academy may receive funds from the DOE or as provided in the GAA for the following purposes:

- Developing programs;
- Expanding services;
- Assessing in-service training and professional development; or
- Other programs relating to the academy's mission and the needs of the state and region.

If the Center were to receive funds through the GAA, this would represent a departure from the requirement that the Center demonstrate an ability to be self-supporting.

The bill also provides that a regional professional development academy is not a component of any school district or governmental unit to which it provides services. Currently, the Auditor General, as a part of the audits of school boards, may review the agreements between an academy in s. 1012.985, F.S. and a district school board. The changes proposed in the bill would not impair the Auditor General's authority to review these agreements.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

¹⁰ Report # 2006-002, *Operational Audit of the Duval County School Board*, July 2005.

¹¹ *Id.*

¹² *Id.*

V. Economic Impact and Fiscal Note:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

The bill allows, but does not require, a regional professional development academy to receive funds from the DOE and the GAA, if the academy meets the requirements specified in the bill.

C. Government Sector Impact:

The bill does not have a fiscal impact unless funds are independently provided through the GAA or through the DOE.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

VIII. Summary of Amendments:

None.

This Senate staff analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
