

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

Prepared By: The Professional Staff of the Education Pre-K - 12 Appropriations Committee

BILL: CS/CS/SB 2482

INTRODUCER: Education Pre-K-12 Appropriations Committee, Education Pre-K-12 Committee and Senator Detert

SUBJECT: School Improvement and Accountability

DATE: April 15, 2009 **REVISED:** _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Carrouth</u>	<u>Matthews</u>	<u>ED</u>	<u>Fav/CS</u>
2.	<u>Armstrong</u>	<u>Hamon</u>	<u>EA</u>	<u>Fav/CS</u>
3.	_____	_____	<u>WPSC</u>	_____
4.	_____	_____	_____	_____
5.	_____	_____	_____	_____
6.	_____	_____	_____	_____

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input checked="" type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

The bill:

- Clarifies the definition of a secondary school;
- Repeals the Secondary School Improvement Award;
- Adds an additional rigorous math course requirement for students entering ninth grade in 2009-10 who choose the accelerated graduation option of a 3-year college preparatory program;
- Revises the requirements relating to an academically high-performing school district to make the designation an annual award;
- Authorizes district school boards to post their annual student progression report on a district website by October 1, rather than requiring a school district to publish the report in a newspaper by September 1, and authorizes the boards to provide a corresponding link to the State Board of Education (SBE); and
- Amends the deadline by which school staff and school advisory councils must determine the distribution of Florida School Recognition Program funds.

This bill substantially amends sections 1003.413, 1003.4156, 1003.429, 1003.621, 1008.25, 1008.36, Florida Statutes. The bill also repeals section 1003.413(5) of the Florida Statutes.

II. Present Situation:

Secondary Schools

Currently, secondary schools are defined as those schools primarily serving students in grades 6 through 12, without clarifying that an elementary school that includes students K- 6 is not considered a secondary school.¹

The Florida Secondary School Redesign Act authorized the Commissioner of Education to create and implement the Secondary School Improvement Award Program² to reward public secondary schools that demonstrate continuous academic improvement. According to the DOE, the Secondary School Improvement Award Program has not been implemented.³

Students who entered grade nine in 2006-07, 2007-08, and 2008-09 and chose the accelerated option to complete a 3-year standard college preparatory program are required to complete three credits in mathematics at the Algebra I level or higher and three elective credits.

High Performing School Districts

Section 1003.621, F.S., recognizes certain school districts that earn a district grade of “A” for two consecutive years, have no district-operated “F” schools, comply with all class size requirements, and have no material weaknesses or instances of material noncompliance in an annual financial audit. The reward for high-performance is an exemption from certain laws and rules as specified in s. 1003.621(2), F.S. The designation is for a 3-year period as long as the school district continues to meet certain criteria. The 3-year designation was intended to allow school districts to effectively plan their operations with the knowledge they would continue to be able to use the exemptions. In reality, the criteria for continuing as a high-performing district mean that districts are annually evaluating whether they continue to meet the high-performing status.

Other

Under the current guidelines for the Florida School Recognition Program, if school staff and the school advisory council cannot reach an agreement on the use of the school recognition funds by November 1, the awards must be equally distributed to all classroom teachers currently teaching in the school.

Currently, district school boards are required to publish their annual student progression report in their local newspaper and submit the report in writing to the SBE by September 1 of each year.

III. Effect of Proposed Changes:

Secondary Schools

The bill clarifies that a secondary school is one serving students in grades 6 through 12 and does not include an elementary school serving students only through grade 6. The change mirrors the

¹ See s. 1003.413(1), F.S.

² s. 1003.413(5), F.S., the program has never been funded.

³ Department of Education, bill analysis, March 2, 2009

intent of the Florida Secondary Redesign Act, which is to provide for secondary school redesign so that students promoted from the 8th grade have the necessary skills for success in high school and beyond.⁴ The act is directed at secondary schools, not elementary schools containing the 6th grade.

This bill repeals the Secondary School Improvement Award Program, as the program was never funded.

The bill amends the course requirements for students entering grade nine in 2009-10 who choose the 18-credit accelerated college prep graduation option. Students who select to participate in the 3-year standard college preparatory program would be required to complete four credits in mathematics at the Algebra 1 level or higher and two elective credits.⁵ This change more accurately reflects university expectations in the area of mathematics for the admission of college students.

High Performing School Districts

The bill provides that the designation of an academically high-performing district is an annual event rather than for a 3-year duration. The change is made to reflect the reality that the criteria needed to meet high-performing status are annually met. The SBE would designate a qualifying district after February 1 to allow for the revised high school grades to be received. The bill also requires academically high-performing districts to include in their annual report a list of the statutes or rules from which the district would be exempt.

School Districts

District school boards would be given the option to publish their annual student progression report in their local newspaper or on the district school board website and authorizes the district to provide a corresponding link to the report in lieu of submitting additional paperwork to the SBE. The annual report must be submitted in writing to the SBE by October 1 of each year. This change was made to accommodate districts during the busy opening period of schools. These changes would simplify the publishing of information locally and eliminate duplication of reporting in writing to the SBE. It is not clear if this provision has any effect on raising parent or student awareness of the published information concerning student progression, retention, and promotion.

Florida School Recognition Program

This bill modifies the Florida School Recognition Program by stipulating if school staff and school advisory council cannot reach an agreement on how to distribute financial awards by February 1, the awards must be equally distributed to all classroom teachers currently teaching at the school. This provision reflects the change in the high school grading system in which school grades would not be available until much later in the year.

⁴ See s. 1003.413(1), F.S.

⁵ Students graduating in 2011 and thereafter seeking a Florida Bright Futures Scholarship will be required to have 4 math credits. In addition, the State University System will require 4 math credits for admission to Florida public universities and post-secondary institutions.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

According to the Department of Education, the bill can be implemented by the department within existing resources.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Additional Information:A. Committee Substitute – Statement of Substantial Changes:
(Summarizing differences between the Committee Substitute and the prior version of the bill.)**CS/CS by Education Pre-K-12 Appropriations on April 15, 2009:**

The committee substitute removes the following provisions from the bill:

- State Board of Education authority to enforce public school improvement, levy of an additional millage by a school district when it fails to improve the academic performance of the lowest performing schools, and withholding funds from school districts;
- School grading calculation revisions;
- Exemption from the FCAT requirements;

- Exemption for middle and high school students from intensive remediation course enrollment if the student scores at Level 1 or Level 2 on FCAT Reading or Mathematics, but who did not score below Level 3 on FCAT Reading or Mathematics in the prior three school years;
- Exemption for eighth grade out-of-state and out-of country transfer students from having to spend additional time in middle school under certain circumstances; and
- Repeal of the requirement for students to take the grade 10 FCAT three times prior to being able to use concordant scores.

CS by Education Pre-K – 12 Committee on March 31, 2009:

The committee substitute:

- Requires a school district to improve the academic performance of the lowest performing schools within three years so as to move the school outside of the category of lowest-performing schools;
- If a school district does not improve the academic performance of the lowest-performing schools, the school district must levy an additional millage to generate revenue in an amount equal to the school district's state funds under the FEFP for FTE generated by students at the lowest-performing schools;
- Requires the Commissioner of Education to withhold an amount equivalent to the revenue generated by the levy of the additional millage from the school district's state funds under the FEFP;
- Requires public notice by the school district of the reason it is required to levy an additional millage; and
- Provides an exemption for middle and high school students from intensive remediation course enrollment if the student scores at Level 1 or Level 2 on FCAT Reading or Mathematics, but who did not score below Level 3 on FCAT Reading or Mathematics in the prior three school years, as applicable.

B. Amendments:

None.