



School Board Meeting: August 2, 2006 (Adopted)

**SCHOOL DISTRICT OF PALM BEACH COUNTY  
BOARD AGENDA ITEM SUMMARY**

**CONSIDER PRELIMINARY 2007 LEGISLATIVE PROPOSALS**

**I recommend that the School Board adopt preliminary Legislative Proposals for the regular 2007 Florida Legislative session and for presentation to the Palm Beach County Legislative Delegation, other members of the Legislature, and to statewide education organizations for support.**

- e Proposed legislative priorities are being submitted at this time and reflect issues considered by various statewide organizations such as the Florida School Boards Association (FSBA) and South Florida School Boards Consortium (SFSBC).
- e The preliminary list of recommended priority issues is based on a review of the 2006 Legislative session and input from School Board members, district staff, and various local and statewide organizations.
- e There are six proposed “Top Priority Issues” that are listed first. These are followed by “Position Statements on Other Issues” that express a position the district would have should the issue arise during the session. These priorities and positions may be modified or augmented at any future time as desired by the School Board up to and during the 2007 Legislative Session.
- e Proposals adopted at this School Board meeting will be submitted formally to the Florida School Boards Association, Greater Florida School Boards Consortium, Treasure Coast school districts, and Florida Association of District School Superintendents for consideration. They will also be submitted to all other School Boards and appropriate state organizations for consideration of endorsement and support.

Further, they will serve as the basis for initial review as part of the joint School Board-Palm Beach County Legislative Delegation meeting to be scheduled following the 2006 general election in November.

- e “Talking Points” will be provided for each priority adopted by the School Board for use by members and staff locally and statewide.

**Board Goals:** Goals 1-8  
**Board Action:** Approval  
**Contacts:** Joseph Moore and Vernon A. Pickup-Crawford

FINANCIAL IMPACT - Financial impact will be determined after completion of the 2007 Legislature.

**Preliminary 2007 State Legislative Proposals and Issues  
School Board of Palm Beach County, Florida  
Adopted August 2, 2006**

**Top Priority Issues**

**I. High School Reform and Career Academies**

- a. Assure implementation of curricular pathways for career education that provides for core course crossover credit between academic and career programs with such credit being recognized by higher education institutions; establish review of all secondary curricula for alignment to the 16 national US Department of Labor occupational clusters;
- b. provide for statewide articulation agreements for school districts, community colleges and universities so that dual enrollment credit will transfer to all state high education institutions;
- c. Streamline state certification requirements to assure business/industry-based professionals can be employed as career and technical education teachers;
- d. Restore career education funding for middle schools and restore 1998-99 high school cost factors; reinstate funding for the 7<sup>th</sup> period day in order for students to meet the intent of A++ (HB7087) legislation passed in 2006;
- e. Eliminate glitch that allows a student to count both a core content course and its make-up course as two credits, one core and one elective, but continue previous course accrual wherein a student may retake a failed or D-graded core course and get a single credit for the one with the higher passing grade; and
- f. Remove worker's compensation barrier precluding high school students from interning in certain industries, such as construction, and allow a school district-based responsibility, e.g., the current exception for Habitat for Humanity.

**II. School Construction Costs**

- a. Continue the increase in the current per pupil station caps for school construction costs to reflect real market cost increases in steel and labor;
- b. Revise the state's "Classrooms First" formula to become FTE-based so that constitutional class size space requirements can be met in all school districts;
- c. Fund costs for constructing or retrofitting schools as hurricane shelters which require portable power, potable water and increased protection against higher windspeeds; and
- d. Restore use of local two-mill capital funds for district vehicles, operating system computer software purchases and leases, and property/casualty insurance.

### **III. Florida Education Finance Program (FEFP)**

- a. Fully fund fifth year of Class Size Reduction (CSR) in addition to new funds to meet student enrollment growth, fixed and inflationary cost increases, and flexibility to meet local needs including salary increases;
- b. Revise the Florida Price Level Index ratio to reflect the higher cost of living, particularly housing, insurance and transportation costs in Palm Beach County, South Florida and the Treasure Coast into an equitable formula based on a fully independent study of the Florida Price Level Index and a look at moving toward regional cost differentials;
- c. Oppose any further use of state funds to equalize local discretionary millage for operating or school construction until there is taxpayer equity among counties, i.e., local taxpayers are assessed similar dollars per FTE among the 67 counties;
- d. Combine local discretionary millages back into a single .75-mill rate, capped at whatever district raises the most funds per FTE plus 5%;
- e. Modify Exceptional Student Education Guarantee into a five-level cost-factored program in lieu of a block grant so that ESE services receive the same cost increases as the basic student;
- f. Double state funding for safe schools to meet security and prevention mandates (\$7 million increase for PBSB);
- g. Maintain and fully fund Transportation and Instructional Materials as categorical programs;
- h. Calculate district CSR progress based on third (October) and fourth (February) FTE to give a better comparison of actual students and to give districts adequate time to make any adjustments; and
- i. Abolish the 1998 block grant for adult basic and GED education and reinstate funding on an FTE-generated formula tied to the Base Student Allocation.

### **IV. HB1877, Background Checks**

Refile and pass HB7117 (2006) that clarified the conditions and procedures associated with the 2005 Jessica Lunsford Act (HB1877) that better defined school grounds and focused on those contracted individuals who are both on school grounds and have direct contact with students during school hours.

### **V. Unfunded Mandates**

- a. New Mandates: Oppose any unfunded mandates or mandates where money would be taken from other existing programs;
- b. Existing Mandates: Provide full funding for existing mandates such as:
  - i. the cost of building or modifying public schools as emergency shelters when designated by the state;
  - ii. The cost of implementing curriculum and monitoring student progress in programs such as Just Read Florida!, African and African-American studies and the Holocaust;

- iii. The cost of student transportation, especially to meet legislative intent for school choice; and
- iv. Instances when state and federal funds do not cover mandated services for exceptional student education (ESE) pupils and local revenues must be used to make up the difference.

**Position Statements on Other Issues (if and when the issue may arise)**

**VI.** Implement 2006 intent to use verifiable alternative assessments measures as an alternative to FCAT in measuring and rating student progress by individual student, teacher, school and district for annual learning gains. Of particular note is diagnosing, monitoring, and measuring student annual learning gains during the same school year. Such assessment shall have a concordance equivalency of FCAT scoring levels. Require publishers to share FCAT test item banks when requested by other districts.

**VII.** Governance

- a. Reinstate ability by the Governor or Education Commissioner to waive any statute, except for life safety, upon request of a local school board. Such waivers may be valid for a period not to exceed three years;
- b. Oppose any effort to subvert or by-pass the constitutional authority of school boards or superintendents, including creation of sub-school districts without school board approval, changing selection of school board members from elected to appointed, eliminating school board member salaries as constitutional officers, or requiring term limits for school board members;
- c. Oppose any constitutional amendment that would be based on a population act to subdivide counties into multiple school districts;
- d. Oppose any claims bill legislation that is not part of an agreed to settlement by the School Board;
- e. Oppose mandatory percentages of funding for instruction without accompanying increases in state aid or abolishment of statutes dictating operational functions; and
- f. Remove school districts as fiscal agents and from any other responsibility or obligation for charter schools approved by the "Schools of Excellence" Commission (HB135, 2006).

**VIII.** Funding - Florida Education Finance Program (FEFP)

- a. Provide a financial incentive for successful inclusion of exceptional student education pupils into regular classes which requires additional staffing; and
- b. Expand Corporate Income Tax credits for education to allow donations to local education foundations that serve public schools.

**IX.** Curriculum, Instruction and Assessment

- a. Require parents wishing to place their students in any state scholarship (A+, McKay, Corporate Income Tax) to notify the district by June 1<sup>st</sup> of the preceding year;
- b. Raise accountability standards for all scholarship programs—A+ Plan, Corporate Income Tax, McKay, etc.—so that the same level of student and fiscal accountability “follows the dollar” as is currently required for public schools; and
- c. Require the Commissioner of Education in writing to notify parents of McKay Scholarship recipients that McKay Scholarship providers are not obligated to adhere to federal IDEA due process and IEP (Individual Education Plan) protection for students and parents and require the Commissioner to inform such parents of the IDEA protections and processes which they may be waiving.

**X.** Voluntary Pre-kindergarten Programs

- a. Fund a quality 180-day program with four (4) core hours of instruction over a six (6) hour day with quality instructors (e.g., certified supervising teachers and child development associates (CDA));
- b. Count Pre-K programs as capacity when determining school facility needs and utilization; and
- c. Allow local flexibility with local dollars by local agencies to supplement any state-funded program without penalty.

**XI.** Facilities

- a. Provide contractor sales tax exemption on materials/supplies used in school construction projects as cost savings to school districts;
- b. Clarify current law to assure that any charter school using public school as their facility shall be required to enroll a number of students at least 90% of the facility’s state-rated capacity;
- c. Clarify current law to assure school districts have absolute control over property and land that it owns;
- d. Reconcile conflicts in requirements for growth management (Concurrency, Chapters 163/1013, F.S.), school choice, class size reduction (SB30A) and educational facilities (Classroom size, capacity, use of re-locatable classrooms, etc., Chapter 1013, F.S.) into a seamless, non-conflicting policy for districts to follow;
- e. Return full authority to school districts for demolition or removal from campus of any facilities constructed with local dollars and institute a reasonable request policy to the state for facilities constructed with state funds that can supersede the FLDOE “Castaldi” life cycle rule; and
- f. Allow school districts to adopt by majority vote an additional ½ cent sales tax or half-mill levy for school construction to meet growth and school concurrency requirements.

- g. Allow School Districts to comply with one set of land development regulations for all schools being constructed in the County to ensure equity and to control the cost of construction.

## **XII. Human Resources**

- a. Extend general knowledge exam requirement from one year to full term of temporary certification;
- b. Eliminate the conflict between the statutes for personnel file and student records, i.e., the mandate that employees receiving student information which is part of an investigation/discovery to which the employee has the right to respond is maintained in confidence;
- c. Provide flexibility to local districts in implementation of “pay for performance” for teachers and other personnel so that performance may also be based on learning teams as well as individual teachers; and
- d. Modify Florida Retirement System (FRS) in one or more of the following ways:
  - i. Reduce calculation of retirement benefit from 5 to 3 “best years” average;
  - ii. Over a reasonable period, increase retirement rate factor from 1.6% to 2% for each year of creditable service;
  - iii. Extend the 96-month DROP provision for instructional personnel to school administrators, at the option of the district;
  - iv. Extend re-employment of instructional personnel within one year of retirement to include school-based administrators, at the option of the district;
  - v. Update the fiduciary study to consider full retirement after 25 years;
  - vi. Eliminate the 5%/year age penalty for those retiring with fewer than 30 years under the age of 62.

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