

SPB 7070 – K-12 Education

This proposal contains most of the K-12 Education priorities of the Senate for the 2019 Legislative Session. School safety and security is another priority as stated in the press conference prior to session.

Family Empowerment Scholarship Program (FES)

The bill establishes the Family Empowerment Scholarship Program (FES). A student is eligible for an FES if the student meets the following criteria:

- The student is on a direct certification list (“Direct certification list” means the certified list of children who qualify for the food assistance program, the Temporary Assistance to Needy Families Program, or the Food Distribution Program on Indian Reservations provided to the Department of Education by the Department of Children and Families); or
- The student’s household income does not exceed 260 percent of the federal poverty level; or
- The student is currently placed, or during the previous fiscal year was placed, in foster care or in out-of-home care, regardless of the student’s household income-level; and
- The student is eligible to enroll in kindergarten or has spent the prior school year in attendance at a public school.

In addition, to be eligible for a FES, a student cannot receive any other educational scholarship and must not be enrolled in a public school or DJJ commitment program; home education or private tutoring program or virtual school/program that receives state funds.

A scholarship recipient is eligible to participate until the student graduates from high school or attains the age of 21 years, whichever occurs first.

Parent and Student Responsibilities for Program Participation

The parent and student responsibilities are similar to other state scholarship programs. For example, the parent must inform the applicable school district and ensure that the participating student takes the norm-referenced assessment test. The parent may also choose to have the student participate in the statewide assessments. If a parent chooses to have their child participate in the statewide assessments the parent will be responsible for transportation to the assessment site.

Private School Eligibility and Obligations

Similar to other existing state scholarship programs, the bill requires private schools participating in the FES to comply with the state choice scholarship program accountability provisions in statute and requires private schools to annually administer or make provisions for students in grades 3 through 10 to take one of the nationally norm-referenced tests identified by the Department of Education (DOE) or the statewide assessments.

School District and Department of Education Obligations

The DOE and the school districts must publish specified information about the FES on their respective website homepages. School districts must inform all households receiving free and reduced lunch about the FES by April 1 of each year. Schools districts must also notify participating students and their parents about locations and times to take statewide assessments.

Scholarship Funding and Payment

The bill establishes the FES for up to 15,000 students annually on a first-come, first-served basis, beginning in the 2019-2020 school year. Beginning in the 2020-2021 school year, the number of students participating in the scholarship program may increase in accordance with the percentage increase in the state's public school student population. The bill specifies that the FES will be funded through the Florida Education Finance Program (FEFP), and administered by the DOE.

The bill requires:

- The calculated scholarship amount for a student must be 95 percent of the unweighted FTE funding amount at the district level for the state fiscal year or the amount of the private school's tuition and fees, whichever is less.
- School districts to report all students who are attending a private school under this program. The students attending private schools under the FES must be reported separately from other students reported for purposes of the FEFP.
- The Chief Financial Officer to make scholarship payments in four equal payments no later than September 1, November 1, February 1, and April 1 of each school year that the scholarship is in force and must make the first quarter scholarship payment no later than October 1, 2019.

The bill requires the State Board of Education to adopt rules to administer the FES program.

Florida Tax Credit Scholarship

The bill also provides that, beginning with the 2019-2020 fiscal year, up to 50 percent of unallocated prior fiscal year contributions received by a scholarship-funding organization from motor vehicle tax credits under the Hope Scholarship Program may be used to fund the Florida Tax Credit (FTC) Scholarship if the state contributions are insufficient to fund the students eligible for the program. Scholarship funding organizations must separately account for each eligible student who receives an FTC scholarship from the unallocated Hope Scholarship funds. This should help to provide more children with a FTC scholarship and reduce the current waitlist of 12,974 children.

Best and Brightest Teacher and Principal Scholarship Programs

The bill reconfigures both the Florida Best and Brightest Teacher Program and the Florida Best and Brightest Principal Program. The Best and Brightest Teacher Program is revised to authorize three types of awards – recruitment, retention and recognition – each with distinct criteria for determining eligibility. The Best and Brightest Principal Program is based on the academic improvement of the school. The funding for both programs is provided from a new categorical within the FEFP.

The bill restructures the Florida Best and Brightest Teacher Program to recruit, retain, and recognize teachers who meet the needs of the state and achieve success in the classroom. The bill removes a teacher's performance on the SAT or ACT as a factor in determining eligibility for the award. The bill establishes the following best and brightest teacher awards:

- Recruitment awards for newly hired teachers who are a content expert, based on criteria established by the department, in mathematics, science, computer science, reading, or civics.
- Retention awards for teachers rated as "highly effective" or "effective" the preceding year, and currently teaching in a school that has demonstrated academic improvement, as evidenced by the school improving an average of three percentage points or more in the percentage of total possible points achieved for determining school grades over the prior 3 years.
- Recognition awards for teachers rated as "highly effective" and selected by the school principal based on performance criteria and policies adopted by the district school board.

All awards amounts for the program will be specified annually in the General Appropriations Act (GAA). The recognition awards must be provided from remaining funds available after the payment of all other teacher recruitment and retention awards and principal awards.

The bill bases the Florida Best and Brightest Principal Program on school performance. A principal is eligible for an award if he or she has served as school principal at his or her school for at least 4 consecutive school years, including the current school year, and the school has demonstrated academic improvement, as evidenced by the school improving an average of three percentage points or more in the percentage of total possible points achieved for determining school grades over the prior 3 years. Awards amounts for the program will be specified annually in the GAA.

The bill establishes the Florida Best and Brightest Teacher and Principal Allocation within the FEFP. Each school district will be provided an allocation based on the district's proportionate share of FEFP base funding for best and brightest teacher and principal awards as established within those programs.

Teacher Certification

Temporary Certificate

The bill removes the requirement that a teacher issued a temporary certificate must achieve passing scores on all subtests of the general knowledge test within one calendar year of the date of employment. The bill also removes the prohibition on a school district from continuing employment beyond one year for a teacher with a temporary certificate who has not demonstrated mastery of general knowledge.

The bill retains the requirement for a teacher to demonstrate mastery of general knowledge as a condition for issuance of a professional certificate, but extends the time to demonstrate mastery of general knowledge for the validity period of the temporary certificate (3 years).

Mastery of General Knowledge

The bill requires a school district that employs an individual who does not achieve passing scores on any subtest of the general knowledge examination to provide information regarding the availability of state-level and district-level supports and instruction to assist that individual in achieving a passing score.

Teacher Certification Examination Fees

The bill modifies the requirement that the SBE establish in rule various certification fees. The bill removes the provision that examination fees must be sufficient to cover the actual cost of developing and administering the examination and requires that the rule specify the following fees:

- Initial registration for first-time test takers.
- Retake of the full battery of subtests of an examination, if applicable. The retake fee for the full battery of subtests may not exceed the fee for the initial registration.
- Retake for each subtest of an examination. The retake fee for each subtest must be prorated based on the number of subtests within the examination.

Educational Facilities

The bill provides school districts additional flexibility for constructing facilities by including the funds generated by a 1.5-mill levy of ad valorem property taxes with the existing funds the district can use for capital outlay for educational, auxiliary, or ancillary facilities without requiring a survey recommendation.

The bill also provides that a school district may not exceed the cost per student station limits established by law when using state funds for new construction; however this limitation does not apply to new construction using only local funds. The bill also specifies that the commissioner's ability to withhold capital outlay funds as a result of a school district's facility needs survey applies only to general revenue funds or state trust funds.

The bill requires the Office of Economic and Demographic Research (EDR), in conjunction with the DOE to review and revise the cost per student station limits to reflect actual construction costs by December 1, 2019, and subsequently every three years, and to select an industry-recognized construction index to replace the currently used Consumer Price Index, to be adjusted annually.

The revised cost per student station limits must be used by the DOE for computation of the statewide average cost per student station for each instructional level. The bill eliminates restrictions and sanctions on district school boards related to educational facilities construction. Specifically, the bill removes the requirements for the to make the final determination on district compliance with the cost per student station limits along with the sanctions imposed on school districts for violating the cost per student station limits.

The bill also removes the prohibition on district school boards from using funds from any sources for new construction of educational plant space with a total cost per student station in excess of the current limits specified in law. Furthermore, the bill prohibits legal and administrative costs, fees of architects and engineers, furniture and equipment costs, the cost of any security enhancements, the costs of constructing covered walkways, and the

costs of public shelter and hurricane hardening requirements from being included in the computation of the cost per student station.

School Improvement/School of Hope Program Awards for Traditional Public Schools

The bill removes the Schools of Hope Program awards for traditional public schools. The bill subsequently creates a new categorical program, the Turnaround Schools Supplemental Services Allocation (allocation), within the FEFP. The allocation provides funding to schools in, or exiting, turnaround status as provided under current law. The allocation provides schools with up to \$500 per-FTE to offer services designed to improve the overall academic and community welfare of the school's students and families. The services may include, but are not limited to:

- An extended school day or school year;
- Tutorial or after-school programs;
- Student and parent counseling; and
- Models that encourage students to complete high school and attend postsecondary education or training, set high academic expectations, and inspire character development.

Before receiving the allocation, a school district must annually submit a plan for implementation to the district school board. The bill requires the plan to include descriptions of specified academic and support services. The plan must be submitted to the district school board by August 1, and to the Commissioner of Education by September 1.

Schools implementing a turnaround option may receive funding from the allocation for a maximum of four continuous fiscal years. A school that exits turnaround with a grade of "C" or higher will remain eligible to receive the allocation for a maximum of two continuous fiscal years after exiting turnaround status.

Community Schools

A community school is both a physical place as well as a set of partnerships between a school and other community resources. Community Partnership Schools (CPS) is a community school model in which four community partners – a school district, a university or college, a nonprofit organization, or a health care provider – commit to a long-term partnership to establish, develop and sustain a CPS.

In 2010, the University of Central Florida (UCF) and the Children's Home Society of Florida started development of the first community school of its kind. UCF founded the Center for Community Schools in 2014. As of February 2019 there are 17 Community Schools across the state.

The bill establishes the Community School Grant Program (program) to fund the implementation of community school programs. The bill requires a community school program director to coordinate with a district school board, college or university, community organizations and health care providers to facilitate the implementation of community school programs; and comply with specified reporting requirements.

*Source: Senate Staff Analysis
Joy Frank/3.2.2019*