

MEMORANDUM

January 25, 2012

TO: The Honorable Chair and Members of The School Board of Miami-Dade County, Florida

FROM: Alberto M. Carvalho, Superintendent of Schools



SUBJECT: 2012 LEGISLATIVE UPDATE – January 16-20, 2012 - Week #2

Budget Update: It would appear that both chambers of the Legislature are in agreement with the Governor's recommendation of providing additional state funding for education. On Thursday, January 19, 2012, the House released allocations that increase education's share of general revenue by more than \$1 billion. Senate budget writers have indicated that they, too, intend on supporting the Governor's recommended \$1 billion increase to K-12 to mitigate the estimated shortfall in education spending.

Senate leadership, however, remains skeptical on developing a budget early due to an economy that remains quite volatile and vulnerable to an economic downturn triggered by trouble in Europe or some other unforeseen event that potentially could impact the state's economy. Both Senate and House appropriations subcommittees will begin releasing budget proposals next week. To address concerns expressed by the Senate regarding potential fluctuations in revenue collections in the next few months, the House announced that provisions will be included in its budget proposal that will provide for automatic contingencies in case there are revenue losses or increases. These contingencies will provide self-executing direction on how to enact reductions or provide additional spending authority, without accessing reserves, should revenue circumstances change. Nevertheless, any decision about a delay in the appropriations process will likely not be made until later in the session or sometime in February.

Several bills relating to education are being heard this week. The following proposed committee bills, which were introduced on Friday, January 20, 2012, will be heard:

PCB-KINS12-01 on Digital Learning - The bill expands digital learning options for students in public schools by authorizing the Florida Virtual School Full Time (FLVS FT) to expand part-time instruction to kindergarten through grade 3. The bill also expands part-time offerings for grades 4 and 5 by removing the limitation which restricts students from taking grades 6 through 8 courses. The bill also authorizes FLVS FT students to participate in interscholastic extracurricular activities at the public school to which the student would be assigned or could choose to attend according to district school board policies. This provision is similar to current law that authorizes eligible home school, private school, and charter school students to participate in public school interscholastic extracurricular activities who meet specified academic standards and eligibility requirements.

The bill also requires FLVS FT to provide exceptional student education services and the English for Speakers of other Languages program to its eligible students and authorizes FLVS FT to receive funding for providing such services and programs.

PCB-KINS12-02 relating to Acceleration Options in Public Education. The bill amends various provisions of the law related to acceleration options in public education as follows:

ACCEL Options: Establishes Academically Challenging Curriculum to Enhance Learning (ACCEL) options as educational options that provide academically challenging curriculum or accelerated instruction to eligible students in kindergarten through grade 12; requires principals and school districts to establish eligibility requirements for ACCEL options and a process for a parent to request student participation in an ACCEL option; and requires a school district's student progression plan to include information about ACCEL options, early and accelerated graduation options, and dual enrollment courses included in the dual enrollment articulation agreement.

Early Graduation: Provides a student the option to graduate from high school early once a student has completed at least 24 credits and has met the standard graduation requirements; authorizes eligible students who graduate from high school mid-year to receive a Bright Futures Scholarship award during the spring term; authorizes school districts to receive funding for unpaid credits delivered to students who graduate at least one semester early; defines unpaid credits as credits earned by the student in excess of six credits per year, e.g., credit earned by passing the Algebra I End of Course (EOC) without enrolling in the course; and requires school districts to notify parents and advise students of the options for early and accelerated high school graduation.

End-of-Course Assessments: Establishes performance-based funding for Algebra I, Biology I, and Geometry EOC assessments beginning in the fourth year of administering the EOC, and requires the Algebra I EOC to be administered four times annually.

Advanced Placement Program: Establishes student eligibility requirements for participation in the Advance Placement (AP) program. The requirements are the same as those required for dual enrollment except students may also demonstrate eligibility using FCAT or EOC scores.

Dual Enrollment Program: Clarifies student eligibility requirements for dual enrollment; provides faculty and curriculum standards for college credit dual enrollment courses consistent with those required by the Southern Association of Colleges and Schools (SACS) Commission on Colleges and are currently outlined in rule; requires superintendents and Florida College presidents to establish a dual enrollment articulation agreement instead of a district inter-institutional articulation agreement; repeals s. 1007.235, F.S., District inter-institutional articulation agreements; repeals s. 1007.272, F.S., Joint dual enrollment and advanced placement instruction; and prohibits the practice of "credit in escrow," which allows a student who does not qualify for dual

enrollment to enroll in and pay for college courses that do not count toward high school graduation.

On Friday, January 20, 2012, a proposed committee substitute was introduced for **HB 1191**, sponsored by Representative Bileca, relating to Parent Empowerment in Education. This bill was discussed at the Board's regularly scheduled school board meeting of January 18, 2012. The bill enables parents to, by petition to the school district, request implementation of a parent-selected turnaround option when a school does not sufficiently improve in the initial year of implementing a district-selected turnaround option. The turnaround option requested by parents must be considered for implementation by the district school board at a publicly noticed meeting if the petition is signed and dated by a majority of the parents of eligible students. The committee substitute modifies the legislation from its original form.

The district school board may adopt the turnaround option selected by parents or a different option selected by the school board. If the district school board does not adopt the parent-selected option, it must include that option with the implementation plan submitted to the State Board of Education. The state board may approve the district's plan or, if it determines that the parent-selected option is more likely to improve student performance at the school, require the school board to submit a plan for implementing the parent-selected option.

The bill also adds several new requirements related to the assignment of students to classroom teachers. The bill prohibits school districts from assigning a student in consecutive school years to a classroom teacher with an annual performance evaluation rating of unsatisfactory or needs improvement; authorizes a parent to request from the school district the performance evaluation of any classroom teacher assigned to his or her child; and requires that parents of students assigned to an out-of-field or chronically low-performing teacher be informed of the availability of virtual instruction delivered by an in-field, high-performing teacher. The Senate companion, SB 1718 sponsored by Senator Benacquisto, is also scheduled to be heard next Tuesday.

Additionally, the Florida School Board Association and the Greater Florida Consortium of School Boards are scheduled to meet in Tallahassee, Florida, next week, Wednesday and Thursday, January 25-26, 2012.

If you have any questions or need additional information please contact Ms. Iraida R. Mendez-Cartaya, Assistant Superintendent, Office of Intergovernmental Affairs, Grants Administration, and Community Engagement, at 305 995-1497.

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cc: School Board Attorney
Superintendent's Cabinet
Ms. Carolyn Nelson-Goedert