



## 20162017 State Legislative Program Broward County Public Schools

### GOAL STATEMENT

As the 6th largest school district in the Nation, Broward County Public Schools (BCPS) educates 10 percent of Florida's student population. BCPS champions educational policies that not only impact students within their District but affects students in every classroom across the state of Florida from cradle to career. The Florida Legislature should boost funding and adopt policies that educate today's students to succeed in tomorrow's world.

### 2016 2017 LEGISLATIVE PRIORITIES

#### STUDENT ACHIEVEMENT:

- ~~• Delay the use of Florida State Assessment (FSA) results in determining school grades, student promotions, graduation, or for teacher evaluations, until July 1, 2017 and create a workable accountability system, not to be implemented before July 1, 2016, with the following components: standards, instruction, technology, and assessments, with common characteristics fully aligned to each other, demonstrably fair, equitable, reliable, affordable, timely, rigorous, rationally compatible and funded.~~

~~Use 2015 and 2016 state student assessment data solely for diagnostic purposes in order to assure that the state's system is reliable, fair, and a valid baseline for 2017-18;~~

- ~~• Florida should not exceed the accountability requirements under the Every Student Succeeds Act (ESSA). Florida should use the new flexibility under ESSA to make the accountability system more equitable for all students and teachers. \*\*~~
- ~~• Florida should begin to move away from the A-F grading system, and move to a category system (such as, "Needs Improvement", "Satisfactory", or "Excellent").~~
- ~~• Require the State Board of Education and commissioner to conduct a concordance of national assessments for all grade levels to Florida's standards that districts may use in lieu of FSA, beginning with 2017-18. \*\*~~
- ~~• Provide for paper and pencil exams to be offered until such time as all school districts have demonstrated ability for computer based testing.~~
- ~~• The Legislature should rename the Lowest 300 program to "Extra Hour of Reading."~~

~~\*\* Tri-County Priority (Broward, Miami-Dade, and Palm Beach)~~

- Students with a diagnosed speech and/or language disorder should be exempt from the foreign language entry requirement for Florida College System institutions and state universities. Also these students should be exempt from the foreign language requirement for the Bright Futures Scholarship.
- Support technical education in the State of Florida by allowing Technical Centers to continue to operate as Technical Colleges.

#### CHARTER SCHOOLS:

- Amend Florida Statutes to allow school boards with at least 10 percent of student enrollment in charter schools to analyze the need for additional charter schools and/or require new charters to locate in areas to address overcrowding. \*\*
- Clarify s1.002.33, F.S., that constitutional school boards have the same authority over approval and oversight of charter schools as for district schools. \*\*
- Support legislation that extends the penalties in 11.40 (2)(a) F.S. for district school boards to charter schools and charter technical career centers which would withhold any funds not pledged for bond debt service from a charter school or charter technical career center that fails to submit their annual audit reports, monthly or quarterly financials, annual cost reports or any other financial information requested by the sponsor in alignment with a financial corrective action plan; repeated failure to provide financial information in the format and timeline required by the sponsor can result in termination of the charter.
- Require a charter school to return any and all public funds, excluding the Charter School Planning Grant funds, to the sponsor upon the charter school's election of any deferral of opening the charter school. \*\*
- Require a charter governing board's request for hearing to be accompanied by a cost bond in the amount of \$50,000 to pay taxable costs pertaining to the hearing including, without limitation, fees of the Division of Administrative Hearings and court reporters fees in the event the sponsor prevails. In an instance of a withdrawal from a DOAH request, the withdrawer should be responsible for all costs pertaining to the hearing.
- Division of Administrative Hearings: The burden of proof shall be upon the sponsor and the standard of proof shall be whether the preponderance of the evidence supports the grounds for the sponsor's proposed action.
- The Florida Legislature should require FLDOE to conduct a state-wide study to determine the true cost of services provided to charter schools by school districts, in order to determine if the administrative fee covers all services and statutorily mandated oversight provided by the school districts.
- Revise Section 1002.33(17), F.S. to include language that does not hold district school boards liable for the disbursement of funds if it is subsequently determined that a charter school' was ineligible for any funds it received for its students or programs. The charter governing board, Management Company or consulting group shall be fully responsible for any errors or omissions in the information provided by charter schools concerning the eligibility of its students or programs for funding and for the repayment of any funding for which the charter school is later found to be ineligible.

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- Support legislation that closes statutory loopholes in Florida Statutes and provide school districts with greater authority in closing charters if needed ed-be.
  - Support legislation that prohibits the submission of additional charter school applications by any charter governing board, Management Company or consulting group named as providing oversight or services to a charter school in either financial or academic corrective action, as noticed by sponsor.
  - Support legislation that prohibits the submission of additional charter school applications by any charter governing board, Management Company or consulting group with outstanding penalties issued by the State of Florida FTE auditors.
  - Support legislation that prohibits the submission of additional charter school applications for any new unrelated charter school for the first three years of operation. Prior performance can be taken into consideration as part of the evaluation of a charter school application.
  - Allow district/sponsors to require a certificate of occupancy by the 30th day prior to the first day of school. If the charter school is unable to meet the requirement then the first year shall revert to a planning year, in which the school may not enroll students and;
  - Allow the sponsor to grant an extension of receipt if the charter school can show good cause for failure to provide a certificate of occupancy 30 days prior to the first day of school. Such extension shall not exceed 15 days and the Sponsor should have the sole discretion as to the granting of an extension and;
  - Should a charter school have exhausted a planning or deferral year, the charter shall terminate without action by the sponsor.
  - Require all approved charter school applicants to provide verified evidence of a surety bond or secured escrow account in an amount equal to or great than the reasonably anticipated cost of total operations to include all salaries, leases and purchase services for the first year of operation.
  - Require background checks of all charter applicants paid for by the applicant to include information regarding prior association with charter governing boards, management companies, or as an independent consultant providing services to charter schools for a fee.

#### EDUCATIONAL FUNDING:

- Support an increase per pupil funding through the Florida Education Finance Program (FEFP), allowing Florida school districts to be competitive nationwide.
- Increase the state's investment in K-12 education by increasing the Base Student Allocation by five percent annually\*\*
- ~~Support legislation that adjusts per pupil funding annually at a minimum, to account for inflationary costs each year.~~
- Conduct an impartial third-party study to develop a cost of education index which focuses on cost difference integral to K-12 public school district operations reflecting such costs as

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average teacher salaries, health insurance for employees, property insurance per FTE, and transportation per FTE. \*\*

- Support legislation that addresses the under-projected student enrollment numbers that negatively impact FEFP per pupil funding which has resulted in a \$20.1 million loss to Broward County Public Schools.
- ~~Restore funding for the Adults with Disabilities (AWD) program that was cut during the 2015 budget negotiations and resulted in a \$921,413 loss to Broward County Public Schools.~~
- Fully restore the Adults with Disability (AWD) program state-wide to \$10 million.
- Double the Safe School Allocation. \*\*
- Amend F.S. 1011.61 to fully fund the programs taken beyond the 1.0 FTE cap or 25 hours a week such as virtual classes outside the traditional school day and year. \*\*
- Amend F.S. 1007.21 so that dual enrollment courses taken beyond the school day are funded by the state. \*\*
- Provide funding for summer immersion program for English Language Learners. \*\*
- Support legislation that incentivizes high performing teachers and principals to work in low performing traditional public schools.
- Restore funding to cover the costs associated with the Dual Enrollment program.
- Support legislation that waives the cost of tuition and fees for classroom teachers holding a professional certificate and attempting to meet the requirements for renewal of their Florida Educator Certification.
- Modify calculations for non-compliance with the constitutional class size requirement to be calculated by the school-wide average for all public schools and;
- ~~Require Class Size non-compliance funds to be expended on the lowest performing elementary schools based on the state reading assessment for which an additional hour of instruction is required pursuant to 1011.62 (1)(f) FS.~~
- ~~Create a new Categorical Program to fund the 300 lowest performing elementary schools and Fully fund \$90 million categorical program (within the SAI) for the 300 lowest performing elementary schools and allow the school districts the flexibility in providing the additional time. \*\*~~
- Oppose any effort to redirect Capital Improvement Millage from local school districts. \*\*

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## Teacher Shortage

- The Legislature should establish a Salary Allocation within the FEFP for teachers.\*\*
- Implement and fund strategies such as teacher fellowships and loan forgiveness programs to encourage and attract talented students to enter into the field education.\* \*
- Allow school districts to re-employ teachers, other instructional personnel and substitute teachers who are certified in a “critical shortage” field after one month of retirement without penalty to the employee’s pension. \*\*

## ADDITIONAL ISSUES

### OPERATIONAL EFFICIENCIES:

- Preserve school board constitutional and home rule authority and oppose legislation that would subvert, bypass or undermine that authority.
- Amend the vendor pre-qualification criteria set forth in the State Requirements for Educational Facilities (SREF) Section 4.1 to allow reciprocity between school districts.
- Allow School districts flexibility to use the Florida Building code in lieu of SREF.

### STUDENT ACHIEVEMENT:

- Support a modification of End-of-Course exams (EOC) weights from 30 percent to 20 percent of a student’s total grade and allow students to retake the exams necessary to pass for graduation
- Require the same accountability for students utilizing the Florida Tax Credit and John McKay Scholarship Programs at non-traditional schools as is required for students attending traditional public schools.

### EDUCATIONAL FUNDING:

- Support the rate of local tax roll collections from 96 percent to 94 percent for Florida Education Finance Program (FEFP) calculation purposes.
- Increase the fee collected in a civil citation penalty for Driver’s Education from \$5 to \$7. Additionally, allow school districts to administer the fund directly.
- ~~Restore the ESE Guaranteed Categorical allocation to the pre-recession level of \$2,220.56 per student or greater.~~

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- Restore local school boards authority to levy allowable discretionary capital outlay millage by .25 mills over a two (2) year period until full restoration of 2 mills for capital outlay needs.
- Extend the deadline for student funding allocation, which will allow funding to move with students coming into the district or returning to the district.
- Allow for partial Full Time Equivalent (FTE) funding for the administrative oversight of students participating in Home Education.
- Allow Districts to waive the \$30 per semester fee for adult education basic or GED courses offered to K-12 eligible and ESE students in jails, stockades or DJJ facilities and;
- Allow Districts to waive the \$38 ACT fee as an alternative to the Florida State Assessment for W08, W8A and W09 students within the first 12 months of the cohorts' graduation.

*W08: Any student who received a certificate of completion. The student met the minimum credits and local requirements, but did not pass the state approved graduation test or an alternate assessment, and/or did not achieve the required GPA.*

*W8A: Any student who met all of the requirements to receive a standard diploma except passing the State approved graduation test and received a certificate of completion and is eligible to take the College Placement Test and be admitted to remedial or credit courses at a state community college as appropriate.*

*W09: Any student who received a special certificate of completion, is properly classified as an eligible exceptional education student, met applicable local requirements, and was unable to meet appropriate special state minimum requirements.*

- Fund critical technology needs including infrastructure and portable delivery devices, resulting from the rapidly expanding requirements for the use of online assessments, digital and virtual instruction and data collection.
- Support additional technology funding that allows schools to meet the minimum computer operating system requirements set for using the Florida Standards Assessment test.
- Fund all costs associated with hurricane/ disaster shelter maintenance and provide for the cost of construction for Enhanced Hurricane Protection Areas (EHPA).