

PCB PKAS 11-03 – PreK-12 Education by PreK-12 Appropriations Subcommittee

The bill amends statutory provisions necessary to conform Florida Statutes to the House proposed education appropriations for the 2011-2012 fiscal year.

Charter School Capital Outlay

The bill amends s. 1002.33, F.S. to provide a cross reference to s. 1013.62, F.S. in order to align with changes made during the 2010 legislative session that provide that capital outlay funds authorized in s.1013.62, F.S., which have been shared with a charter school-in-the-workplace prior to July 1, 2010, to be considered to have met the authorized expenditure requirements for such funds.

School District Virtual Instruction Programs

The bill amends s. 1002.45 to require each school district to annually provide a copy of the contract and amounts paid per student for district virtual instruction programs to DOE. The bill also requires the difference in funds received by the school district from the FEFP and the amount negotiated with the provider to be used for the district's local instructional improvement system or other technological tools that are required to access electronic and digital instructional materials.

Voluntary Prekindergarten

The bill amends ss. 1002.55 to change the maximum number of students allowed in a voluntary prekindergarten class delivered by a private provider for the school year program from 18 to 20 students. In addition, the bill amends ss. 1002.55 and 1002.63 to require that classes delivered by both private and public providers that are composed of 12 or more students, rather than 11 or more students, must have have instructors that meet specified qualifications. The bill also amends s. 1002.71 to reduce the early learning coalition administrative percentage from 4.5% to 4%.

Bonus Funding for Industry Certification

the bill amends s. 1003.492 to require the DOE to identify variable bonus weights based on the difficulty of obtaining the industry certification and the value of having the industry certification in terms of employment and wage earning capability. The bill amends s. 1011.62 to incorporate the variable bonus weights and clarify that the maximum bonus weight for students earning industry certification is 0.3 FTE.

Class Size Reduction

The bill amends s. 1003.01 to redefine the terms "core curricula" and "extra curricular" courses. "Core - curricula courses" are defined to mean:

- Language arts/reading, mathematics, and science courses in prekindergarten through grade 3;
- Courses in grades 4 through 8 in subjects that are measured by state assessment at any grade level;
- Courses in grades 9 through 12 in subjects that are measured by state assessment at any grade level;
- Courses that are specifically identified by name in statute as required for high school graduation and that are not measured by state assessments, excluding any extracurricular courses;
- Exceptional student education courses;
- English for Speakers of Other Languages courses.

Current law specifies that "core curricula" courses do not include courses offered under ss. 1002.37 (the Florida Virtual School), 1002.415 (K-8 Virtual School), and 1002.45 (school district virtual instruction programs). In addition, the definition of "extra curricular" courses is currently defined as all courses that are not defined as "core curricula courses," which may include, but are not limited to, physical education, fine arts, performing fine arts, and career education. The bill expands this list to include "courses that may result in college credit." The bill also provides that, for a core curricula high school course in which a student in grades 4 - 8 is enrolled for high school graduation credit, the maximum number of students for compliance purposes will be 25 (the limit for 9-12 core curricula classes). [NOTE: these changes are expected to reduce the number of courses subject to class size requirements from 849 to 288 courses.]

The bill amends s. 1003.03 to provide that each year, by the October student membership survey, school districts must be in compliance with the constitutional class size requirements. These maximums must be maintained after the October student membership survey, except in the case of an extreme emergency beyond the control of the district school board and/or in the case of a student who enrolls in a school after the October student membership survey. In the case of new enrollment after the October survey, the student may be assigned to an existing class that temporarily exceeds the maximum number of students if the school board determines it to be impractical, educationally unsound, or disruptive to student learning to not assign the student to the class. In such cases, up to three students above the maximum may be assigned to a teacher in kindergarten through grade 3, and up to five students above the respective maximums may be assigned to a teacher in grades 4 through 12. In addition, the school board must develop a plan for the school to be in full compliance with class size maximums by the next October student membership survey. The bill also amends s. 1011.685 to provide that a school district that meets the maximum class size requirements may use the funds for any lawful operating expenditure with a priority for using the funds for salaries for classroom teachers.

Instructional Materials

The bill amends s. 1006.281 to change the name “learning management system” to “local instructional improvement system” to align with the minimum standards of Race to the Top. The bill provides guidelines and instructions for implementation of electronic local instructional improvement systems that provide teachers, staff, students and parents the ability to organize and access electronic instructional materials and other teaching and learning tools as determined to be appropriate by the school district. By June 30, 2014, a school district’s local instructional improvement system must comply with minimum standards published by the DOE. In addition to existing criteria, a district’s instructional improvement system must include the ability to connect student assessment data with electronic and digital instructional materials, must enable district staff to plan, create, and manage professional development and to connect professional development with staff information and student performance data, and must provide the ability to connect the local instructional improvement system to electronic and digital content.

The bill amends section 1006.29 to restructure the state instructional materials adoption process. The bill provides that, by April 15 of each school year, the commissioner must appoint three state or national experts in the content areas submitted for adoption. Reviews will only evaluate electronic format materials. Two reviewers will conduct the initial review of the materials. If the two reviewers reach different results, the third reviewer will determine which results will be recommended. The commissioner will request each district school superintendent to nominate one classroom teacher or district level content supervisor to review two or three of the submissions recommended by the state instructional materials reviewers. District reviewers must independently rate the recommended submissions on the instructional usability of the resources. The bill also establishes a timeline to phase-in, by grade group, digital instructional materials in the classroom.

The bill amends sections 1001.01, 1006.28, 1006.281, 1006.29, 1006.30, 1006.31, 1006.32, 1006.34, 1006.35, 1006.36, 1006.38, 1006.39, and 1006.40 to align terminology with the conversion to digital or electronic materials and the restructuring of the instructional materials adoption process.

Critical Needs Millage

The bill repeals s. 1011.71(3)(b) relating to the 0.250 critical needs millage levy, effective June 30, 2011. However, the bill provides that, for the 2011-2012 and 2012-2013 fiscal years, the 0.25 mills may be levied in the districts in which it was authorized by the voters of the district in the 2010 general election. Funds generated by this additional millage will not be included in the calculation of the FEFP and will not be incorporated in the calculation of any hold-harmless or other component of the FEFP.