

# FEA Frontline Report

## *Week Three of the 2012 Legislative Session*

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January 27, 2012

This week, mixed into the usual mayhem and outrageous remarks that are made during legislative committee meetings, we heard a real nugget. Former Senator Ron Silver asked (when speaking against the prison privatization bill) that the time be extended so that all the folks who were attending the meeting would have a chance to speak. Chairman JD Alexander replied “Sure, I will stay here as long as folks want to talk.” Then, as Sen. Silver was returning to his seat, Sen. Alexander began to call for the vote. Sen. Silver spun around on his heels and said, “I thought you were going to let us speak?” Alexander replied, “Yes, but we’re going to vote first.”

### Budget Update

On Wednesday, Rep. Marti Coley (R-Marianna) unveiled the House proposal on PreK-12 Appropriations. The recommendation is to spend \$1.1 billion more than the current year. You will recall that the Governor is calling for a minimum of \$1 billion in added money to PreK-12 spending. Most of this money simply replaces funds from the loss of federal revenue, the growth in students (more than 30,000) and the loss of property tax revenue. This is only an opening recommendation and will be vetted in this committee and other full committees in the House appropriations process. The House has laid out their timeline for passage of the appropriations bill.

Meanwhile, the Senate has not yet issued an allocation for their substantive committee chairs to consider. In an interview this week, Senate President Haridopolos said that the Senate is likely two weeks away from outlining its budget allocations. The Senate chair of PreK-12 Appropriations, Sen. Simmons (R-Altamonte Springs), has said that he would like to see an allocation of at least \$1.3 billion toward education.

### Bill Tracking

- **“Parent Involvement” [HB 543](#) by Rep. Stargel (R-Lakeland)** passed the House K-20 Competitiveness Committee by a vote of 10 to 3. Three Democrats (*Chestnut, Clark-Reed, Fullwood*) voted NO. Voting YES were nine Republicans (*Bileca, Burgin, Coley, Corcoran, Davis, Fresen, Grant, Perry, and Trujillo*) and one Democrat (*Reed*).

This bill would require that school districts inform parents of its expectations regarding parental responsiveness to teacher requests for communication, such as accurate contact, emergency and medical information and oversight of their child’s school attendance, completion of homework and preparation for tests. They can use existing guides or checklists or new formats to communicate but would require parents to acknowledge, in writing, the receipt of that information.

**Here's the controversy:** Teachers of PreK through grade 5 students would be required to evaluate each parent's involvement on a quarterly basis. The evaluation must be based upon the frequency of unexcused absences and tardiness, responsiveness to requests for conferences or communication, submission of accurate information such as emergency contact information and student immunization records.

The teacher must rate each parent as satisfactory, needs improvement or unsatisfactory and also provide the parent with a written report regarding the evaluation. The district would develop a process for parents to dispute an unfavorable evaluation.

School districts would then submit an annual report of parental involvement evaluation dates to DOE – the DOE would report to the Governor, Senate President and Speaker of the House

If it passes, the bill would go into effect in the 2013-14 school year.

The bill has been heard in one committee – and has two more committee hearings (House PreK-12 Appropriations and House Education) before it can be heard by the entire House. The Senate version [SB 944](#) by Wise (R-Jacksonville) has not yet been heard in committee.

- **The so called “Parent Empowerment” [HB 1191](#) by Rep. Bileca (R- Miami) and [SB 1718](#) by Sen. Benacquisto (R-Wellington)** passed committees in the House and Senate this week after being amended. The bills would allow parents of students in low performing schools to petition the school district to request implementation of a parent-selected turnaround option AFTER the initial year of implementing a district selected turn around option. The district must consider the parents chosen option, but it may adopt a different option.

As you may recall, the turnaround options are:

- TURNAROUND MODEL: Replace the principal, screen existing school staff, and rehire no more than half the teachers; adopt a new governance structure; and improve the school through curriculum reform, professional development, extending learning time, and other strategies.
- RESTART MODEL: Convert a school or close it and re-open it as a charter school or under an education management organization.
- SCHOOL CLOSURE: Close the school and send the students to higher-achieving schools in the district.
- TRANSFORMATION MODEL: Replace the principal and improve the school through comprehensive curriculum reform, professional development, extended learning time, and other strategies.

The bill has requirements that affect all schools. It also would

- Require that a student cannot be consecutively assigned to a teacher rated as unsatisfactory or needs improvement.
- Allow parents to request the performance evaluation of any classroom teacher assigned to his or her child.
- Require that parents with a student assigned to an out-of field or chronically low-performing teacher be informed of the availability of virtual instruction delivered by and in-field, high-performing teacher.

Although the language contained is much better than the original proposed bill and is not the “parent trigger” language found in other states, FEA still has many concerns and continues to work with the sponsors with hopes of resolving as many of those issues as possible.

- **Florida Tax Voucher Program (formerly called Corporate Tax Vouchers) [SB 962](#) by Sen. Benacquisto (R-Wellington) and [HB 859](#) by Rep. Corcoran (R-New Port Richey)** both passed legislative committees this week with support from both Republicans and Democrats.

These bills will increase the amount of tax payer money going to the Florida Tax Credit Scholarship Program and siphon even more scarce tax dollars away from our public schools.

Public schools and public school students are still reeling from recent cuts, yet these bills will nearly double the amount of tax money that companies are allowed to redirect from our public schools to private schools.

The Florida Tax Credit Scholarship Program was initially capped at \$50 million in tax credits per fiscal year. The Legislature expanded the cap to \$88 million in 2003, increased the cap in FY 2008-2009 to \$118 million and again in 2010-11 to \$140 million.

In fiscal year 2011-2012 and thereafter, the cap is scheduled to increase by 25 percent of the tax credit cap amount for that year. The tax credit cap amount is \$175 million for the 2011-2012 state fiscal year and \$218,750,000 for the 2012-2013 state fiscal year.

The Legislature continues to increase the program claiming that it is cheaper to offload students to private schools rather than funding our public schools.

Here are the facts:

- There’s no link between vouchers and gains in student achievement. There’s no conclusive evidence that vouchers improve the achievement of students who use them to attend private school, nor is there any validity to claims that, by creating a “competitive marketplace” for students, vouchers force public schools to improve.
- Vouchers undermine accountability for public funds. Private schools have almost complete autonomy with regard to how they operate: who they teach, what they teach, how they teach, how – if at all – they measure student achievement, how they manage their finances, and what they are required to disclose to parents and to the public.
- Vouchers do not reduce public education costs. Actually, they increase costs by requiring taxpayers to fund two school systems: one public and one private.

The vote count:

Senate committee was a unanimous YES vote. Republicans voting yes: *Gardiner, Norman, Altman and Bogdanoff*. Democrats voting yes: *Margolis*. NOT voting: *Republican Alexander and Democrat Sachs*.

The House committee voted 17 to 6 in favor of the bill. Republicans voting YES: *Ahern, Albritton, Broxson, Caldwell, Costello, Diaz, Grant, Mayfield, Moraitis, Precourt, Rooney, Steube, Van Zant, Weinstein, and Workman.* Democrats voting YES: *Julien and Rogers.* Voting NO were Democrats: *Abuzzon, Berman, Fullwood, Randolph, Rehwinkel-Vasilinda and Thurston.* (Rep. Ray was absent at the time of the vote).

- **[HB 1115](#) by Brandes (R-St. Petersburg) and Rep. Grant (R-Tampa) the Teacher Protection Act aka the ‘Teacher, You Better Hope You Have Protection Act’** was not heard by either chamber this week. As you may recall, this bill came about because of a PERC challenge filed by Duval Teachers United against PEN – Professional Teachers Network – for unfair labor practices. DTU won that challenge. PEN didn’t like those results.

The House version bill was passed during Week Two after intense debate by the House Civil Justice Committee. [SB 1698](#) sponsored by Wise (R-Jacksonville) has not yet been heard in committee.

## Member Lobbyists

Members from Alachua, Broward, Clay, Miami-Dade, Lee, Leon, Okaloosa, Palm Beach, Pasco, Pinellas, St. Johns and St. Lucie counties joined us in Tallahassee this week to enjoy the unseasonably warm weather...and some extremely hot debate!

*Thank you to PPA staff members: Lynda Russell, Kevin Watson and Michael Monroe, as well as Joe Minor from UTD, for their contributions to this report.  
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Questions? Call us at 850-224-2078!