



THE SCHOOL BOARD OF LEE COUNTY

**School Board Workshop
Legislative Review
Tuesday, May 25, 2010 – 4:00 p.m.
Board Room and Board Annex**

Attending

Steven K. Teuber, J.D., Board Chair
Robert D. Chilmonik, Member
Jeanne S. Dozier, Member
Jane E. Kuckel, Ph.D., Member

James W. Browder, Ed.D., Superintendent
Keith Martin, School Board Attorney
Bob Cerra, Presenter
Brenda Wall, Recording Secretary

Absent

Elinor C. Scricca, Ph.D., Vice Chair

I. Welcome/Call to Order

Mr. Steven Teuber, Board Chair, called the workshop to order at 4:10 p.m. He introduced Mr. Bob Cerra, who was the presenter at the workshop.

II. Discussion:

Mr. Cerra stated that he would give an overview of the Bills for 2010. He then distributed a Power Point Presentation to the Board and also displayed the presentation for the audience to view. A copy of the handout is attached and available for review in the Office of the Superintendent. Mr. Cerra began by stating that there were nine (9) major Bills that passed, with one major Bill being vetoed (Senate Bill 6). Senate Bill 6 was one of the Bills that would have had a major impact on the budget. Mr. Cerra stated that the entire session was clouded by the veto of Senate Bill 6 and also the Governor's party change, which created a lot of distrust between the branches. The session opened with a \$3 billion deficit, which was better than the previous year which had a \$6 billion deficit.

Mr. Cerra explained that the session began with the Governor's recommended budget which showed a \$500 million increase to public schools. However, by the middle of the session, some of the funding sources the Governor used as a basis for his legislative budget request failed. Primarily, the Governor based nearly a billion dollars of his budget recommendation on a change in federal medical related reimbursements that did not happen, which created a billion dollar hole for the overall budget. Mr. Cerra informed the attendees that the Governor and the Seminole Indians were able to come together and adopt a Seminole Gaming Compact, which produced over \$425 million for the current budget year. At the end of the session, the legislature made a claim that, on a per student basis, they had provided a "hold harmless" level of funding per student. The reality is that they didn't quite do that well. One of the last decisions of the session was that the class size compliance would be calculated in October.

Mr. Cerra then discussed State Education Budget highlights. (*See attached handout for detail*). The plan is for no cuts to Unweighted FTE (UFTE), i.e., per student we are getting the same amount of funding as received last year on a statewide average. There are three (3) big factors

which undercut that; one of them is a change in how the Required Local Effort (RLE) calculations are formulated, going from 95% to 96% of the taxable value tends to overstate revenues statewide by \$80 million, which is approximately one half of one percent of the operating budget. Mr. Cerra also stated that Districts are going to face an increase in the Florida Retirement System rate that must be paid for employees' benefits. The primary rate is going up 1.1%. Since salaries make up 80-85% of District budgets, the impact is about nine tenths of a percent. The other factor affecting the state education budget is class size reduction costs. Critical operating millage is now available to School Board. It allows the School Board to impose a new .25 millage by a super majority vote. The conforming Bill included some language that clarified that the millage could be adopted for the first time in 2010-2011 without the referendum being on the November ballot. Mr. Cerra stated that there are additional pressures on the current legislative budget from the Gulf oil catastrophe and no one at this point has been able to place a dollar figure on the impact. It will be two (2) or three (3) months before significant data is received on the impact of this crisis on Florida's revenues and whether there will be an impact to the current year's budget. Mr. Cerra also stated that the Federal stabilization funding was used in 2009-2010 and about 5% of the funding for 2010-2011 is going to be non-recurring because it is part of the federal stabilization dollars.

Mr. Cerra reviewed the chart regarding the local budget impact on Lee County Schools. (*See attached handout for detail*).

Mr. Cerra then discussed the major education Bills and how they would impact the District. He went over the nine (9) Bills listed on the handout. (*See attached handout for detail*). Mr. Cerra went on to discuss the highlights of House Bill 5101 – the Conforming Bill. He stated the major portion of this Bill was to provide language for the 2010-2011 implementation of the Class Size Reduction constitutional amendment. He then reviewed the additional highlights of the Bill.

Mr. Cerra reviewed the information regarding Senate Bill 6. (*See attached handout for detail*). Mr. Cerra stated that this Bill will surely be brought back in the next legislative session. The State Board of Education has indicated that they want to schedule workshops in the summer and fall to discuss this issue.

Senate Joint Resolution 2 was the next issue discussed by Mr. Cerra. (*See attached handout for detail*).

Mr. Cerra stated that the 2nd major education focus Bill was Senate Bill 4, which deals with high school graduation requirements. (*See attached handout for detail*). Over a four (4) year period, there will be an increase in coursework that is required for high school graduation. The new requirements will be phased in over a period of time. In its initial year of implementation, each end of course exam will be administered and will have a requirement of being 30% of the final grade in that that course. The following year, passing the exam becomes a requirement for obtaining credit in the course. Mr. Cerra stated that there is also a study within this Bill looking at the possibility of creating differentiated diplomas and looking at other exit options for students who have difficulty meeting the current standards, to be certain that there are appropriate accommodations available to them.

Mr. Cerra next discussed House Bill 105, Middle School Civics Education. (*See attached handout for detail*). There will be new requirements for students entering grade 6 in the 2012-2013 school year. They must complete a one (1) semester civics education course.

Senate Bill 2126, Tax Credit Voucher Program, was the next Bill discussed. (*See attached handout for detail*). The total amount of the program has been expanded as well as the amount of the individual vouchers. For the first time, the commissioner was given the ability to ban a private school from the program, based upon knowledge that the school did not operate in the public's best interest.

Mr. Cerra then discussed House Bill 1505, the McKay Scholarship/Students with Disabilities. (*See attached handout for detail*). A new program has been created within VPK for students who have an IEP. The student may be eligible to receive an additional voucher from the VPK program for specialized instructional services.

House Bill 1073, Restraint and Seclusion of ESE Students was the next Bill that Mr. Cerra reviewed. (*See attached handout for detail*). He stated that ESE student issues dominated the session up to and including the veto of Senate Bill 6. The Governor stated that the treatment of ESE resource teachers under that Bill is one of his reasons for vetoing it. There was a great deal of testimony about restraint and seclusion being used repeatedly and parents not being notified. Ultimately, the legislature created a Bill that contains a statewide reporting requirement. A report must be created and there are timelines for completing the report. It specifically states in the law that parents must be notified each time restraint or seclusion is used on a child.

Mr. Cerra then discussed House Bill 5607, Retirement System Changes. (*See attached handout for detail*). House Bill 5607 establishes the new FRS rates for 2010-2011. Mr. Cerra explained that existing DROP participants will not be impacted by the Bill at all. It affects new DROP program participants entering after July 1, 2010.

Mr. Cerra stated that there were a number of other education Bills, which he has listed on the handout. (*See attached handout for detail*). He stated that House Bill 31, Protected School Speech, was this year's version of the school prayer Bill. The Bill states that Districts cannot do anything through agreement or otherwise, that would impede an educator or employee's First Amendment Rights to free speech. Senate Bill 140, School Food Service, encourages Districts to utilize locally grown, fresh foods when possible. Senate Bill 166, Prescribed Enzyme Supplements, allows students who need these supplements to carry their medical supplies with them at school. Senate Bill 206, Academic Signing Day, is a Bill that encourages School Boards to establish academic signing days for their students. It is intended to highlight the scholarships students receive for academics. Senate Bill 434, Suicide Prevention Education, deals with suicide prevention education. It directs the DOE to identify certain suicide prevention courses that teachers and other educators can utilize for meeting their inservice points and for renewing their certificates. House Bill 467, Teen Dating Violence, contains a mandate for inclusion of curriculum pertaining to teen dating violence within the high school level health course. House Bill 521, Interstate Compact on Military Students, addresses different issues surrounding military students moving from base to base. House Bill 747, Diabetes Treatment, addresses diabetes treatment for students and states that Districts cannot mandate that a student attend a particular school because it is the only school with appropriate nursing care. Students will be permitted to carry their supplies with them to school.

Mr. Cerra then discussed future issues. (*See attached handout for detail*). He stated that the State has approximately \$1.4 billion in reserve, but that could be used very quickly depending upon how the gulf oil spill impacts Florida. He also made the comment that the 2011 session will have a lot of pressure to find a way to fill a \$6 billion budget shortfall.

Dr. Browder then addressed the Board Members and asked if any of them had questions. Mrs. Dozier stated that there is a lot of discussion regarding Senate Bill 6 and that it is definitely returning in the next legislative session. Her thought was that a message should be prepared by the Board that addresses how Senate Bill 6 will affect education as a whole. Her feeling is that a message should be created for Board Members to share in the event they are asked to speak on the subject. Dr. Kuckel agreed that information should be gathered in a collaborative way with other organizations. She stated that the summer would be a good time to put something together. Mrs. Dozier added that FSBA (Florida School Boards Association) has already been discussing how they can prepare for the upcoming session. Dr. Browder agreed that Mrs. Dozier and Dr. Kuckel were right on target with their thoughts. He wanted to inform the Board that the District is currently addressing the issues of Senate Bill 6 in negotiations with Dr. Adkins, TALC and SPALC and they are looking very critically at all areas of the Bill. He agreed that Senate Bill 6 will come back in some version. However, the District must have to time to address the matter very thoroughly and thoughtfully. Mr. Chilmonik addressed Mr. Cerra and asked if he knew whether there would be any changes or modifications to Senate Bill 6 in the upcoming session. Mr. Cerra stated that he has not yet seen any different language. Dr. Kuckel posed the question as to how proactive the legislature has been with regard to the economy, i.e., recruiting new businesses, etc., that would help the shortfall. Mr. Cerra stated that there was a select committee in the House and the Senate that dealt with economic issues and a Bill was passed that included incentives for businesses. However, that Bill will not turn around the economy in the short term. Dr. Browder stated that he felt that local workforce boards are doing their part; however, he did not see that same “push” at the state level. Mrs. Dozier wanted to reiterate that the Board needed to get out their message regarding Senate Bill 6 and to have talking points prepared from the Board as a whole. She also stated that the message from the legislature is that there has been an increase in funding, but in reality that is not what occurred. Once retirement funding and class size are removed, then it is no longer an increase. Mrs. Dozier feels it is imperative that this message be shared in a consistent way when Board Members address the public. Dr. Browder stated that he and Mrs. Dozier would work with Mr. Cerra to develop these talking points and have them available by the June 22 Board Meeting or sooner if they are available.

Dr. Browder then thanked Mr. Cerra for his time and commitment to the Lee County School District during the 2010 legislative session. Mr. Teuber also thanked Mr. Cerra for everything that he and his brother have done for the District and for putting together the presentation at the Board Workshop. Mr. Teuber also thanked the principals and school staff for attending the meeting.

III. Good of the Order

None

IV. Adjournment

The meeting adjourned at 5:15 p.m.

ATTEST:

James W. Browder, Ed.D. Superintendent

An audio/visual tape of this meeting has been produced to provide a verbatim record of the proceedings. Members of the public may obtain a copy of the tape of any meeting by making a request for such through the Communications Department and paying the actual cost of copying the tape. Members of the public may view any Board meeting tape at the Communications Department at no cost. Anyone wishing to view a Board meeting tape should contact the Communications Department at 337-8327 to make such a request.