

## Duval County Legislative Agenda 2011/2012

### Immediate Savings on Un/Underfunded requirements

1. **Defer Requirement to Honor Years of Experience** – s. 1012.33: Waive for 2010-11 and 2011-12 school years, the requirement that districts accept each year of experience on the salary schedule for teachers. This is necessary so that districts will be able to roll back salary schedules and assign steps in nontraditional ways.

\$1.1 million. The difference between the average cost of a new hire teacher and base pay is \$2200. Assuming we will hire 500 teachers next year, the savings would be \$1.1 million ( $\$2200 \times 500$ ).

2. **Textbooks** – The K-12 Science adoption for 2011/2012 will cost the District approximately \$12 million. The adoption plus additional textbook requirements is projected to cause a \$5.5 million dollar deficit. Alternative implementation options should this request be granted would be:
  - A partial implementation of the science adoption should include K-8 and Biology because of the state accountability policy. This partial implementation of State–adopted (on list) text materials would save approximately \$4 million dollars thus reducing the deficit by \$1.5 million. If the District chose to buy off list with customized materials that are aligned the saving would increase.
  - The State of Florida will implement the new FCAT 2.0 for grades 5 and 8, as well as an End-Of-Course Test for all Biology students. These newly developed assessments will reflect the Next Generation Sunshine State Standards in Science. The text material in place currently are based on the previous State Standards. The revisions to the State Standards are dramatic and content has switch grades. Student achievement on the Science FCAT are included in the calculation of the school grade.
3. **Class Size** –Maximum flexibility on interpreting the amendment and minimum penalties are necessary until the state fully funds this requirement, an additional \$24 million is needed to comply with the Class Size Amendment. Duval County Public Schools (DCPS) has spent \$35 million more on Class Size implementation than the amount allocated over the last eight years, and is still not in full compliance.

Suggested language: If the districts can demonstrate that all of the Class Size money has been used to meet the requirements then the penalty will be withheld.

Requirements: provide documentation that you have spent all the funds provided appropriately and submit a plan of ideas for getting closer to meet the Class Size requirements. Duval County

Public Schools (DCPS) has spent \$35 million more on Class Size implementation than the amount allocated over the last eight years, and is still not in full compliance.

- 4. Opportunity Scholarship Transportation** – The only program of its kind in the nation, the Opportunity Scholarship Program has been a part of Florida’s A+ Education Plan since 1999. As originally implemented, the program offered students who attended or who were assigned to attend failing public schools the option to choose a higher performing public school or a participating private school.

Beginning in February of 2005, the Broward County School District conducted and published results from a series of studies which examined the performance of cohorts of students who opted to exit schools which did not meet Adequate Yearly Progress (AYP) in order to transfer to higher performing schools.

The studies published by Broward County Public Schools have found inconsistent longitudinal results similar to those found in other large, urban district studies. Eligible students who choose to transfer to a higher performing school are likely to find that the transfer alone is not sufficient for increasing academic performance. It appears likely there are many other contributing factors to increasing student achievement which must also be addressed.

Transporting these students costs the district \$1.3 million annually.

## Other Legislative Priorities

- 5. Credit for General Educational Development (GED) Diplomas** – The GED is an important tool for ensuring that students who discover how important an education is to their futures too late to meet the requirements of a standard diploma, have an avenue for demonstrating their knowledge and ability to prospective employers. Discounting the value of a GED leaves students who have temporarily lost their way essentially no place to turn, and discourages schools and districts from encouraging students who have dropped out of school to return and continue their educations.
- The new formula for calculating the graduation rates for high schools in Florida gives no credit for students who earn a General Educational Development (GED) diploma.
  - The graduation rate comprises almost 38% of the new components that have been added to the calculation of a high school’s school grade each year.
  - It is recommended that high schools be allowed to earn bonus points that would be added to the point total in the school grade calculation in an amount equal to the percent of students in the appropriate cohort who earned a GED diploma.
- 6. High School Grade as used for Differentiated Accountability** - The Differentiated Accountability (DA) category into which a school is placed is currently based on two criteria, (1) the school’s grade as determined by Florida’s A++ School Accountability system and (2) the school’s Adequate Yearly

Progress (AYP) status as defined under the national No Child Left Behind legislation. Beginning with the 2009-10 school year, the method by which a high school's grade is determined was expanded to include student participation and performance in accelerated courses, participation and performance on tests of college readiness, and the graduation rates of all students and students considered to be at risk, all in addition to the FCAT components already in place.

Because the new components of a high school's grade cannot be completely determined until well into the next school year, the decision was made and approved by the Florida State Board of Education to continue to use only the FCAT portion of a high school's grade in the determination of the high school's Differentiated Accountability status. Unfortunately the school grade status as "projected" using only the FCAT components of the school grading formula is very likely to be different from the final and official school grade based on all components. This means a high school may be assigned to a DA category to which it would not have been assigned if the official school grade had been used.

We recommend that the system be modified to allow the final and official school grade, based on all components of the school grading formula for high schools, be used in the determination of each high school's DA status.

7. **Budget Flexibility – s. 1011.71: Funding for Instructional Software** - Expand use of software to make retroactive to July 1, 2007. Software is \$3,678,660 million.

**Millage Referendums** - Additional millage elections are currently every four years. Allow the millage to be effective for 10 years instead of 4.

8. **Teacher Quality Legislation** –The bill includes provisions that deal with the:
- Reporting of data regarding the successful performance of graduates of state approved teacher preparation programs.
  - Adopting the new performance-based salary schedules by 2014-2015 and requiring an opt-in for current employees. Those who don't opt in will be on the grandfathered salary schedules (current ones). The new schedules have a base salary with adjustments and supplements added based on various criteria.
  - Establishing new contracts beginning July 1, 2011, for instructional personnel including a probationary contract, annual contract and professional performance contract. The professional performance contract must be renewed each 3 years.
  - Establishing measures of student growth to be used in assessing instructional personnel.
  - Establishing new assessment systems for instructional effective July 1, 2011, in which at least 50% of the assessment is based on the progress of students.

Staff has reviewed the various version of the legislation as it moves through the drafting procedure and has made suggestions for changes. These changes have been incorporated into the latest draft. Examples of such suggested changes about which staff had concerns are:

- Clarifies that Boards can still give cost of living raises after 2014 if desired (the previous language indicated increases could only be given for performance).
- Allows supplements to be given for years of service if a Board desires
- Clarifies language about surplussing and rifting teachers based primarily on performance.
- Allows modification of an evaluation if assessment data comes in later that wasn't available when the evaluation was done.
- Allows student progress for ESE teachers to be measured on IEPs or on districted determined measures if they are approved by DOE.
- Adds language that measures student growth using a 3-year period instead of 1-year.

Staff will continue to monitor the bill and will provide input as necessary

- 9. Increase the age of which students can drop out from 16 to 18 -** Require students who attain the age of 16 years, but have not reached the age of 18 years in pilot program districts who do not regularly attend school to be subject to specific attendance and completion requirements.

Attendance requirements can be attendance at a public schools supported by public funds, community or state college, home education or virtual education program. These entities would all continue to receive public funds for the continuing education of these students.

- 10. ESE -** The FLDOE has an ongoing protocol that requires the district to monitor services to students with disabilities and in addition, an ongoing reporting mandate that requires extensive staff time and involvement to verify and comply. The cost of the staff time and involvement is approximately \$1.5 million.

DCPS is currently required to submit ongoing reports and verifications of compliance to federal and state statute. The cost is approximately \$500,000.

## Additional Time

The School District is currently funded by the state for four hours of instruction in Kindergarten through 3<sup>rd</sup> grade and five hours of instructional time in grades 4-12. The following could be made possible if the state funded us for an additional hour of instructional time. Current funding does not support the curriculum and accountability requirements increasing each year.

- 11. Career and Educational Planning Course in Middle School** – s. 1003.4156: Hold in abeyance the requirement of one course in career and education planning until 2011-2012.

This is currently embedded in a Social Studies Course and places more burden on teachers. Ongoing professional development is needed.

There is no way to determine a monetary cost, however this requirement places additional burden on staff who are already overburdened.

- 12. Intensive Reading Requirement** - The state mandates that any student who is Level 1 or disfluent level 2 must be provided extensive instructional time in Intensive Reading (IR). Flexibility in this requirement would allow the district to reduce the number of IR teachers needed, as well as the curriculum to be implemented. The cost of the specific State-approved intervention materials is \$927,000.
- 13. Physical Education** – s. 1003.455: Make 150 minute PE requirement for elementary schools that was implemented in 2008 legislative session permissive.
- 14. K-3 Reading Instruction** – s. 1008.25 Required 90 minutes of reading instruction in K-3 with provision for ensuring proficiency for all students.
- 15. Response to Intervention (RtI)** - State Board Rules 6A-6.0331, 6A-6.03018 and 6A-6.03016 - Provision for students with disabilities to be served in regular education classrooms and implementing RtI to identify and correct difficulties early.
- 16. Teacher Planning** – State Board Rule 6A-1.099811 - Teachers need more time for planning to make data informed instructional decisions, collaborate in Professional Learning Communities and conduct Lesson Studies.

## Other Unfunded or Underfunded Mandates

### **17. Virtual Instruction - Statement of Financial Impact -**

s. 1002.45: Make virtual education requirement implemented in 2008 legislative session optional.

Continue full funding, including categorical for full-time virtual education students. Eliminate the proviso that students must successfully complete their courses in order to receive funding. Provide equal funding with FLVS for after-school and summer school courses. DCPS has to provide FCAT and End-of-Course exam testing for all Florida Virtual students that the state currently receives funding per student for, not the district.

The district will be responsible for reporting full-time equivalent students for all K-8 virtual school students for funding through the Florida Education Finance Program. In this agreement, Duval County Public Schools agrees to pay the designated contractor on a per student basis for each student who successfully completes the year with the program. All operating costs are the responsibility of the contracted provider.

**18. Home Education - F.S. 1002.41 -** We currently have 5,100 students in home education without funding. Support includes enrollment, terminations, annual evaluation review, verifications for athletics and other extracurricular activities, verification for virtual education through FLVS, providing technical assistance and support for parents, supplies and printing. Estimated cost of support is \$140,000 per year, not including the cost of testing and facility rentals.

DCPS has to provide FCAT and End-of-Course exam testing for all Home School students.

**19. Career Academies - s. 1003.491:** Fund career and professional academies required in 2007 legislative session.

The District currently spends approximately \$985,000 on monitoring the Career Academies in our schools. In addition to the standard FTE generated funds, the Career Academics are supplemented by the Perkins grant at a cost of approximately \$1,406,000 and by SAI at a cost of \$621,000.

**20. Jessica Lunsford Act and other background legislation-** The cost of \$50,000 is attributed to one full-time employee handling background screening.

**21. Staff Development (ESOL) -** This prepares teachers for the FLDOE requirement of ESOL certification (META decree). The cost to the district is \$205,000.

**22. ESOL/ELL -** The cost of paraprofessionals required for schools that have at least 15 ESOL/ELL students. - \$1.2 million.

- 23. Transportation** – Total cost of transportation in Duval County Public Schools is \$46.6 million. This includes transportation for Magnet programs. The state and federal required transportation is \$31.6 million. The unfunded portion removes Magnet program costs and state provided funding. The cost to the district is \$12.3 million.
- 24. ESE Section 504** – For students who have a disability, but do not qualify for ESE services. Funding must be allocated for instructional support, related services and specialized equipment. The cost is approximately \$500,000.
- 25. Diabetic Nurses** – On July 1, 2010, the Florida Legislature passed HB 747, regarding the treatment of students with diabetes in schools. The main components of HB 747 include the following: School districts may no longer restrict the assignment of a student who has diabetes to a particular school; School districts must “encourage” every school in which a student with diabetes is enrolled to have personnel trained in routine and emergency diabetes care. The cost to support these students is \$1.2 million.
- 26. Differentiated Accountability Model (DA)** - Florida implements a tiered approach to interventions for Title I schools that have not made Adequate Yearly Progress (AYP) under No Child Left Behind (NCLB) while integrating Florida’s accountability system. The Florida model: Streamlines the federal (NCLB) and state (School Grades) accountability systems; Focuses support progressively; Increases requirements as school grades and percent of AYP met declines; and Targets school-wide interventions including requirements for identified Reading and Mathematics Coaches within schools and at the District. Districts are required to adhere to stipulations within the DA model and all requirements within the model which can be very expensive and is unfunded by the State of Florida.

Four key components that require increased dollars are the mandated implementation are:

- (1) Instructional Coaches for Reading, Mathematics and/or Science at the cost of \$5,006,400;
- (2) Required assessment costs of FAIR, District benchmarks in Reading and Mathematics and Science and Progress Monitoring Assessments at a cost of approximately \$1,119,900;
- (3) The cost to implement Response to Intervention (RtI) at a cost of \$1,100,000 for instruction interventions and \$90,000 for a District level RtI Coordinator, totaling \$ 1,190,000; and
- (4) Incentive pay for highly qualified teachers to teach in the District’s lowest performing schools at a cost of \$6,000,000. The cost of implementation of the DA Model is approximately \$12,900,633.

- 27. Comprehensive Health Education – FL Statute 1003.42(1)(2)(n)** requires instruction, which is aligned with the Next Generation Sunshine State Standards for Health Education, in the following 10 content areas:

Funds are needed to revise curricula to meet the Next Generation Sunshine State Standards for Health Education and to provide updated resources materials and training for a content area in which information is constantly changing. Since federal Title IV, Part A, is no longer funded, the

District must pick up all costs associated with providing a safe and drug-free environment including school climate, behavior, prevention and intervention efforts at all levels. These funds of \$521,195 (2009-10) paid for curriculum, resources, training, travel, and salaries/benefits for personnel. In the past, these funds helped to provide training and resources in health education on substance use and violence prevention.

\*Additional costs are incurred in labor and time needed to implement the other components to these laws (i.e., investigations, trainings, reporting, notifications, responses to administrative and parental concerns) and the costs for providing training and instructional materials for employees, parents, visitors, volunteers and other agents.

**28. Teen Dating Violence and Abuse – FL Statute 1006.148 (2010).** Dating violence and abuse is prohibited. Duval County Public Schools must adopt and implement a teen dating violence and abuse policy, which is based on the Florida Department of Education (FLDOE) model policy and shall include the following components:

Similar to the anti-bullying/harassment law, all reports of teen dating violence and abuse must be reported and investigated; provisions made for restraining orders and stay-away agreements; provide for reasonable accommodations to the victim and interventions with the alleged perpetrator; and provide instruction to students through Comprehensive Health Education and instruction for all teachers, counselors, administrators, staff, parents/guardians, visitors, volunteers, and other agents. Funds are needed to provide instructional resources and labor and time to conduct investigations and to handle restraining orders and stay away agreements.

The cost of implementing and investigating the reported incidents cannot be calculated at this time, but it is possible that an additional full-time staff member may need to be added to assist schools. Cost is included in item #27.

**29. Bullying/Harassment - 1006.147 FL** Bullying and harassment prohibited; includes the following required components:

Just to address the instructional component alone for:

- Grades K-8 - The cost to purchase one Second Step set (one kit per grade level K-5) per elementary school and middle schools is \$594,900.
- This cost does not include the cost for instructional materials for high school students, employees, parents, visitors, and other agents.

Additional costs are incurred in labor and time needed to implement the other components to the law. This has proved to be especially so in regards to conducting investigations of all reported acts, responding to numerous parental concerns, and conducting training. The Truancy Hotline has been expanded to incorporate the Bullying Hotline (390-2043) and must be manned to take reports of bullying.

Additional costs are included in item #27.

**30. Response to Intervention (RtI)** -State Board Rules 6A-6.0331, 6A-6.03018 and 6A-6.03016

Since federal Title IV, Part A, is no longer funded, the District also must pick up all costs associated with training, resources, and staff for Foundations and CHAMPS, which are the universal (Tier I) components of Behavioral RtI and also included specific training and resources on Tier II behavioral interventions. Cost is included in item #27.

<b>Duval County Legislative Agenda</b>		
<b>Immediate Savings on Un/Underfunded requirements</b>		
1	Defer Requirement to Honor Years of Experience	\$1,100,000
2	Textbooks	\$5,500,000
3	Class Size	\$24,000,000
4	Opportunity Scholarship Transportation	\$1,300,000
5	GED Exit Option	
6	High School Grade for DA	
7	Budget Flexibility	\$3,678,660
8	Teacher Quality Legislation	
9	Increase Drop Out Age	
10	ESE	\$4,000,000
<b>Additional Time Needed</b>		
11	Career and Education Planning Course in Middle School	
12	Intensive Reading Materials	\$927,000
13	Physical Education	
14	K-3 Reading Instruction	
15	Students with Disabilities	
16	Teacher Planning	
<b>Total for one Additional Hour</b>		<b>\$106,874,103</b>
<b>Other Unfunded or Underfunded Mandates</b>		
17	Virtual Instruction	
18	Home Education	\$140,000
19	Career Academies	\$985,000
20	Jessica Lunsford Act	\$50,000
21	Staff Development (ESOL)	\$205,000
22	ESOL/ELL	\$1,200,000
23	Transportation	12,300,000
24	ESE Section 504	\$500,000
25	Diabetic Nurses	\$1,200,000
26	Differentiated Accountability Model	\$20,216,933
27	Comprehensive Health Education	\$521,195
28	Teen Dating Violence and Abuse	
29	Bullying/Harassment	\$594,900
30	Response to Intervention	
<b>TOTAL</b>		<b>\$185,292,791</b>