

THE FLORIDA SENATE
2015 SUMMARY OF LEGISLATION PASSED
Committee on Education Pre-K - 12

CS/CS/CS/HB 41 — Hazardous Walking Conditions

by the Education Committee; Education Appropriations Subcommittee; Local Government Affairs Subcommittee; and Rep. Metz and others (CS/CS/CS/SB 154 by the Appropriations Committee; Community Affairs Committee; Education Pre-K – 12 Committee; and Senator Hays)

The bill designated as the “Gabby’s Law for Student Safety Act,” requires a district school board, in cooperation with the applicable state or local governmental entity, to inspect and identify hazardous conditions along routes that students must take while walking to or from school. The bill also requires the applicable state or local governmental entity to correct any hazardous walking conditions within a reasonable period of time.

Specifically, the bill:

- Revises the conditions for identifying walkways parallel to a road as hazardous.
- Creates criteria for identifying conditions at uncontrolled crossing sites as hazardous.
- Revises the process for inspecting, identifying, and correcting hazardous walking conditions.
- Authorizes a district school board to initiate a proceeding seeking a declaratory judgment if the governmental representatives are unable to reach a consensus on whether a hazardous walking condition exists.
- Prohibits the admissibility of the designation of a road as a hazardous walking condition as evidence in a civil action for damages against a governmental entity.
- Authorizes a district school board and other governmental entities to enter into an interlocal agreement addressing the standards and procedures for identifying and correcting hazardous walking conditions if the agreement:
 - o Implements the Safe Paths to Schools Program; or
 - o Establishes standards that meet or exceed the standards and procedures set forth in the Florida Statutes.
- Authorizes each district school board to implement a safe driver toll-free telephone hotline for individuals to report improper driving by a school bus driver to a district school board, which may investigate and correct or take disciplinary action based on such reports.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 39-0; House 113-0

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CS/HB 153 — Literacy Jump Start Pilot Project

by the Choice and Innovation Subcommittee; Rep. Lee and others (CS/SB 1116 by the Appropriations Committee and Senator Abruzzo)

The bill requires the Office of Early Learning (OEL) to establish a 5-year Literacy Jump Start Pilot Project in St. Lucie County to provide emergent literacy instruction to low-income, at-risk children.

Specifically, the bill:

- Directs OEL to allocate funds for the implementation of the pilot project;
- Requires OEL to select a local organization to implement the pilot project;
- Requires OEL to select one or more municipalities within St. Lucie County to participate in the pilot project;
- Requires the instruction to be provided in a subsidized housing unit located within the selected municipality;
- Establishes eligibility criteria for participation in the pilot project;
- Encourages the collaboration of the St. Lucie County Health Department and the organization to provide basic health screening and immunization in conjunction with emergent literacy instruction;
- Requires child care personnel to undergo level 2 background screening;
- Limits the use of funds for specific purposes and requires funds to be verified by affidavit;
- Requires instructors to complete an OEL-approved emergent literacy training course; and
- Requires organization to submit an annual accountability report to the OEL, the St. Lucie County Early Learning Coalition, the Governor, the President of the Senate, and the Speaker of the House of Representatives.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 39-0; House 116-0

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CS/SB 954 — Involuntary Examinations of Minors

by the Fiscal Policy Committee and Senator Garcia

The bill requires immediate notification to the parent, guardian, caregiver, or guardian advocate of a minor or student who has been taken to a receiving facility and held for an involuntary examination.

Specifically, the bill:

- Requires a public school or charter school principal, or his or her designee, to immediately notify a student's parent if the student is removed from school, school transportation, or a school-sponsored activity for an involuntary examination.
- Requires a receiving facility to immediately notify a minor's parent, guardian, caregiver, or guardian advocate after the minor's arrival at the facility and make repeated attempts at such notification until confirming that notice has been received.
- Authorizes a public school or charter school principal or receiving facility to delay notification up to 24 hours if deemed to be in the best interests of the minor or student and if a report has been submitted to the Department of Children and Families' Central Abuse Hotline.
- Requires each county health department, district school board, and local school health advisory committee to jointly develop a school health services plan that provides for immediate notification.
- Requires each district school board and charter school governing board to develop policies and procedures for immediate notification.
- Authorizes the release of a student to a law enforcement officer if emergency assistance is needed for illness or injury while at school.

If approved by the Governor, these provisions take effect July 1, 2015.

Vote: Senate 40-0; House 117-0

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CS/HB 7069 — Education Accountability

by Education Appropriations Subcommittee; Education Committee; Rep. O'Toole and others (CS/CS/SB 616 by the Appropriations Committee; Education Pre-K – 12 Committee; and Senator Legg)

The bill (Chapter 2015-6, L.O.F.) authorizes school districts to start school as early as August 10 each year and modifies education accountability provisions related to public school student assessment, educator performance evaluations, and school accountability:

Student Assessment

The bill reduces test administration requirements, minimizes the impact of testing on students, and codifies testing schedules and procedures. Specifically, the bill:

- Eliminates prescriptive remediation and progress monitoring requirements, the grade 11 Florida Standards Assessment for English Language Arts (ELA), and the required administration of the Postsecondary Education Readiness Test (PERT) in high school.
- Limits the amount of time for state-required and district-required test administrations to no more than five percent of total school hours during the school year, with some exceptions.
- Requires school districts to provide student performance results on district-required local assessments to teachers and parents within 30 days of administration, and requires future state testing contracts to provide student performance results on statewide, standardized assessments by the end of the school year.
- Allows districts to determine appropriate local assessments for measuring student performance, including requirements for student growth formulas, and authorizes school districts to use district employees to administer statewide, standardized assessments.
- Codifies the state-approved rollout schedule for statewide, standardized computer-based testing and paper testing options through the 2017-2018 school year, and requires school districts to establish and publish district assessment schedules.
- Requires districts to notify parents of students who score in the bottom quintile on the 2014-2015 grade 3 ELA assessments and provide evidence to enable such students to be promoted.
- Requires the Department of Education (DOE) to collect liquidated damages due in response to the spring 2015 administration of the computer-based assessments of the department's Florida Standards Assessment contract with American Institutes for Research, and distribute the funds to parties that incurred damages, if liquidated damages are applicable.

Educator Performance Accountability

The bill modifies components of educator performance evaluations for student performance, instructional practice, and professional and job responsibilities. Specifically, the bill:

- Modifies educator performance evaluation components to require:

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- o The student performance component to be at least one-third of the evaluation,
 - o The instructional practice component (or the instructional leadership component for school administrators) to constitute at least one-third of the evaluation, and
 - o The remainder of the evaluation to include other indicators of performance.
- Requires the student performance component to include growth or achievement data, the proportion of which may be determined by instructional assignment.
 - o For courses associated with statewide, standardized assessments, requires school districts to measure student learning growth using the formulas approved by the Commissioner of Education and the standards for performance levels adopted by the State Board of Education (SBE).
 - o For grades and subjects not assessed by statewide, standardized assessments, requires each school district to measure student performance using a methodology determined by the district.
- Authorizes other indicators of performance to include, but not be limited to, professional and job responsibilities and other valid and reliable measures of instructional practice. Instructional personnel may also include peer reviews and objectively reliable survey information from students and parents based on teaching practices that are consistently associated with higher student achievement.
- Requires the DOE to provide a comparative analysis of performance evaluation results calculated by each school district to indicators of performance calculated by the DOE using the standards for performance levels adopted by the SBE.
- Requires instructional and administrative personnel who have been evaluated as less than effective to participate in the district's professional development programs.

School Accountability

The bill maintains the statutorily prescribed 2014-2015 school year transition to the Florida Standards Assessments, including the suspension of negative consequences associated with school grades and school improvement ratings. Specifically, the bill:

- Allows a school currently implementing a turnaround option to be released from the requirements if the school improves by at least one letter grade during the 2014-2015 transition year.
- Requires an independent verification of the psychometric validity of the statewide, standardized assessments to be completed before the 2014-2015 school grade results may be published and before student performance data may be used for evaluations.
- Requires student performance on the 2014-2015 statewide, standardized assessments to be linked to the 2013-2014 student performance expectations until an independent verification of the psychometric validity of the statewide, standardized assessments is provided for purposes of grade 3 ELA performance and high school graduation.

These provisions were approved by the Governor and took effect on April 14, 2015.

Vote: Senate 32-4; House 105-6