

STORAGE NAME: h3309a.edk

DATE: March 19, 1998

**HOUSE OF REPRESENTATIVES
COMMITTEE ON
EDUCATION K-12
BILL RESEARCH & ECONOMIC IMPACT STATEMENT**

BILL #: HB 3309

RELATING TO: School Advisory Councils/Membership

SPONSOR(S): Representative Fischer

COMPANION BILL(S): SB 1200

ORIGINATING COMMITTEE(S)/COMMITTEE(S) OF REFERENCE:

- (1) EDUCATION K-12 YEAS 13 NAYS 0
- (2) GOVERNMENTAL RULES & REGULATIONS
- (3) EDUCATION APPROPRIATIONS
- (4)
- (5)

I. SUMMARY:

The bill revises the membership of school advisory councils, requiring that a majority of the members of each school advisory council be persons who are not employed by the school board at the school site where such person performs his or her primary duties.

II. SUBSTANTIVE RESEARCH:

A. PRESENT SITUATION:

School Advisory Councils

School advisory councils (SACs) are a key component of Florida's school improvement and accountability system. Section 229.58, F.S., requires the school board to establish a SAC for each school in each district, but gives smaller school districts (those with fewer than 10,000 students) the option of establishing a district advisory council. Each SAC assists in preparing and evaluating the school's improvement plan and provides any assistance requested by the principal in preparing the school's annual budget. School improvement plans are locally developed "blueprints" for achieving the state education goals and student performance standards. Section 229.58(2), F.S., specifies that no SAC shall have any powers and duties reserved by law to the school board.

Each SAC must be composed of the school's principal and an appropriately balanced number of teachers, education support employees, students, parents, and other business and community members who are representative of the ethnic, racial, and economic community served by the school. Performance reviews conducted by the Office of the Auditor General in 1993-94 and by the Office of Program Policy Analysis and Governmental Accountability (OPPAGA) in 1995-96 found persistent problems in SAC memberships. The 1995-96 performance review looked at school improvement efforts in 14 school districts. In one-third of the SACs reviewed, 50 percent of the SAC members were new to the councils. Almost half of the SACs reviewed did not include all statutorily required membership groups, such as business/community members and education support employees. About one-third did not reflect the school community's racial and ethnic diversity. Sixty-three percent were dominated by school employees and 78 percent were dominated by school district employees. Legislation passed during the 1997 legislative session required each SAC to draw a majority of its membership from individuals who are not school board employees.

B. EFFECT OF PROPOSED CHANGES:

School Advisory Councils

The bill revises provisions relating to membership of school advisory councils. Rather than being required to be composed of a majority of members who are not employed by the school board, school advisory councils will instead be required to be composed of a majority of members who are not employed by the school board at the school site where such person performs his or her primary duties.

C. APPLICATION OF PRINCIPLES:

1. Less Government:

- a. Does the bill create, increase or reduce, either directly or indirectly:

(1) any authority to make rules or adjudicate disputes?

N/A

(2) any new responsibilities, obligations or work for other governmental or private organizations or individuals?

N/A

(3) any entitlement to a government service or benefit?

N/A

b. If an agency or program is eliminated or reduced:

(1) what responsibilities, costs and powers are passed on to another program, agency, level of government, or private entity?

N/A

(2) what is the cost of such responsibility at the new level/agency?

N/A

(3) how is the new agency accountable to the people governed?

N/A

2. Lower Taxes:

a. Does the bill increase anyone's taxes?

N/A

b. Does the bill require or authorize an increase in any fees?

N/A

c. Does the bill reduce total taxes, both rates and revenues?

N/A

d. Does the bill reduce total fees, both rates and revenues?

N/A

- e. Does the bill authorize any fee or tax increase by any local government?

N/A

3. Personal Responsibility:

- a. Does the bill reduce or eliminate an entitlement to government services or subsidy?

N/A

- b. Do the beneficiaries of the legislation directly pay any portion of the cost of implementation and operation?

N/A

4. Individual Freedom:

- a. Does the bill increase the allowable options of individuals or private organizations/associations to conduct their own affairs?

The bill increases opportunities for individuals who are employed by a school district to participate on SACs by revising the membership of SACs to require that a majority of members not be employed by the school at which they are serving, rather than not be employed by the school board.

- b. Does the bill prohibit, or create new government interference with, any presently lawful activity?

N/A

5. Family Empowerment:

- a. If the bill purports to provide services to families or children:

- (1) Who evaluates the family's needs?

N/A

- (2) Who makes the decisions?

N/A

(3) Are private alternatives permitted?

N/A

(4) Are families required to participate in a program?

N/A

(5) Are families penalized for not participating in a program?

N/A

b. Does the bill directly affect the legal rights and obligations between family members?

N/A

c. If the bill creates or changes a program providing services to families or children, in which of the following does the bill vest control of the program, either through direct participation or appointment authority:

(1) parents and guardians?

N/A

(2) service providers?

N/A

(3) government employees/agencies?

N/A

D. STATUTE(S) AFFECTED:

The bill amends s. 229.58, F.S.

E. SECTION-BY-SECTION RESEARCH:

Section 1: Amends s. 229.58, F.S., relating to district and school advisory councils; revising provision relating to the membership of school advisory councils.

Section 2: Provides an effective date of July 1 of the year in which enacted.

III. FISCAL RESEARCH & ECONOMIC IMPACT STATEMENT:

A. FISCAL IMPACT ON STATE AGENCIES/STATE FUNDS:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

4. Total Revenues and Expenditures:

N/A

B. FISCAL IMPACT ON LOCAL GOVERNMENTS AS A WHOLE:

1. Non-recurring Effects:

N/A

2. Recurring Effects:

N/A

3. Long Run Effects Other Than Normal Growth:

N/A

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

1. Direct Private Sector Costs:

N/A

2. Direct Private Sector Benefits:

N/A

3. Effects on Competition, Private Enterprise and Employment Markets:

N/A

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D. FISCAL COMMENTS:

N/A

IV. CONSEQUENCES OF ARTICLE VII, SECTION 18 OF THE FLORIDA CONSTITUTION:

A. APPLICABILITY OF THE MANDATES PROVISION:

This bill does not require counties or municipalities to expend funds or to take an action requiring the expenditure of funds.

B. REDUCTION OF REVENUE RAISING AUTHORITY:

This bill does not reduce the authority that municipalities or counties have to raise revenues in the aggregate.

C. REDUCTION OF STATE TAX SHARED WITH COUNTIES AND MUNICIPALITIES:

This bill does not reduce the percentage of a state tax shared with counties or municipalities.

V. COMMENTS:

VI. AMENDMENTS OR COMMITTEE SUBSTITUTE CHANGES:

On March 19, 1998, HB 3309 passed unanimously out of the House Education K-12 Committee with the following amendment:

page 1, lines 18 and 19

by Representative Fischer:

Inserts language that clarifies the intent that a majority of the members of the SAC must not be individuals who are employed by the school district *at that school*.

VII. SIGNATURES:

COMMITTEE ON EDUCATION K-12:

Prepared by:

Legislative Research Director:

Molly A. Jones

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