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# **Education Committee**

**Thursday, February 16, 2012**

**9:00 am – 11:00 am**

**Reed Hall – 102 HOB**

## **Action Packet**

**Dean Cannon  
Speaker**

**William Proctor  
Chair**

# COMMITTEE MEETING REPORT

## Education Committee

2/16/2012 9:00:00AM

**Location:** Reed Hall (102 HOB)

### Summary:

#### Education Committee

Thursday February 16, 2012 09:00 am

HB 331	Favorable	Yeas: 15	Nays: 0
HB 347	Favorable	Yeas: 17	Nays: 0
HB 689	Favorable	Yeas: 14	Nays: 3
CS/CS/HB 799	Favorable With Committee Substitute Amendment 795951 Adopted Without Objection	Yeas: 14	Nays: 1
CS/CS/HB 1191	Favorable With Committee Substitute Amendment 056713 Adopted Without Objection	Yeas: 11	Nays: 6

Committee meeting was reported out: Thursday, February 16, 2012 3:24:56PM

# COMMITTEE MEETING REPORT

## Education Committee

2/16/2012 9:00:00AM

Location: Reed Hall (102 HOB)

### Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
William Proctor (Chair)	X		
Janet Adkins	X		
Michael Bileca	X		
Jeffrey Brandes	X		
Dwight Bullard	X		
Gwyndolen Clarke-Reed	X		
Marti Coley	X		
Daniel Davis	X		
Erik Fresen	X		
Luis Garcia, Jr.	X		
Martin Kiar	X		
Jose Oliva	X		
H. Marlene O'Toole	X		
Betty Reed	X		
Jimmie Smith	X		
Cynthia Stafford	X		
Kelli Stargel	X		
John Tobia	X		
<b>Totals:</b>	<b>18</b>	<b>0</b>	<b>0</b>

Committee meeting was reported out: Thursday, February 16, 2012 3:24:56PM

# COMMITTEE MEETING REPORT

## Education Committee

2/16/2012 9:00:00AM

**Location:** Reed Hall (102 HOB)

**HB 331 : Career and Adult Education**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard	X				
Gwyndolen Clarke-Reed	X				
Marti Coley				X	
Daniel Davis	X				
Erik Fresen				X	
Luis Garcia, Jr.	X				
Martin Kiar	X				
Jose Oliva	X				
H. Marlene O'Toole	X				
Betty Reed				X	
Jimmie Smith	X				
Cynthia Stafford	X				
Kelli Stargel	X				
John Tobia	X				
William Proctor (Chair)	X				
<b>Total Yeas: 15</b>					
		<b>Total Nays: 0</b>			

Committee meeting was reported out: Thursday, February 16, 2012 3:24:56PM

# COMMITTEE MEETING REPORT

## Education Committee

2/16/2012 9:00:00AM

**Location:** Reed Hall (102 HOB)

**HB 347 : College Credit for Military Training and Education Courses**

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard	X				
Gwyndolen Clarke-Reed	X				
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Luis Garcia, Jr.	X				
Martin Klar	X				
Jose Oliva	X				
H. Marlene O'Toole	X				
Betty Reed				X	
Jimmie Smith	X				
Cynthia Stafford	X				
Kelli Stargel	X				
John Tobia	X				
William Proctor (Chair)	X				
<b>Total Yeas: 17</b>		<b>Total Nays: 0</b>			

### Appearances:

College Credit for Military Training and Education Courses

Jim Brodie, Director of Legislative and Cabinet Affairs (Lobbyist) - Waive In Support

Department of Veterans' Affairs

2105 The Capitol

Tallahassee FL 32399-0950

Phone: 850-487-1533

College Credit for Military Training and Education Courses

Eric Sherman, State Liaison, SE (General Public) - Proponent

Department of Defense

8929 Spring Harvest Lane West

Jacksonville FL 32244

Phone: 904-537-6273

College Credit for Military Training and Education Courses

Matthew Holliday, Director of Governmental Relations (Lobbyist) - Waive In Support

Edison State College

8099 College Pky-Office of the President

Ft Myers FL 33919

Phone: (239)489-9052

Committee meeting was reported out: Thursday, February 16, 2012 3:24:56PM

# COMMITTEE MEETING REPORT

## Education Committee

2/16/2012 9:00:00AM

Location: Reed Hall (102 HOB)

HB 689 : American Founders' Month

Favorable

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard	X				
Gwyndolen Clarke-Reed		X			
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Luis Garcia, Jr.	X				
Martin Kiar	X				
Jose Oliva	X				
H. Marlene O'Toole	X				
Betty Reed		X			
Jimmie Smith	X				
Cynthia Stafford		X			
Kelli Stargel	X				
John Tobia			X		
William Proctor (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 3</b>			

Committee meeting was reported out: Thursday, February 16, 2012 3:24:56PM

# COMMITTEE MEETING REPORT

## Education Committee

2/16/2012 9:00:00AM

Location: Reed Hall (102 HOB)

CS/CS/HB 799 : Physical Therapy

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard	X				
Gwyndolen Clarke-Reed	X				
Marti Coley				X	
Daniel Davis	X				
Erik Fresen				X	
Luis Garcia, Jr.	X				
Martin Kiar	X				
Jose Oliva	X				
H. Marlene O'Toole	X				
Betty Reed				X	
Jimmie Smith	X				
Cynthia Stafford	X				
Kelli Stargel	X				
John Tobia		X			
William Proctor (Chair)	X				
<b>Total Yeas: 14</b>		<b>Total Nays: 1</b>			

### CS/CS/HB 799 Amendments

#### Amendment 795951

Adopted Without Objection

#### Appearances:

Physical Therapy  
Bob Harris (Lobbyist) - Proponent  
2618 Centennial Place  
Tallahassee FL 32312  
Phone: 850-222-0720

Physical Therapy  
Howard Adams (Lobbyist) - Waive In Support  
Florida Physical Therapy Association  
215 South Monroe St., 2nd Floor  
Tallahassee FL 32301  
Phone: 850-222-3533

Committee meeting was reported out: Thursday, February 16, 2012 3:24:56PM

# COMMITTEE MEETING REPORT

## Education Committee

2/16/2012 9:00:00AM

**Location:** Reed Hall (102 HOB)

**CS/CS/HB 799 : Physical Therapy (continued)**

**Appearances: (continued)**

Physical Therapy

Gina Maria Musolino, Assoc. Prof. Dir Clin Ed (State Employee) - Waive In Support

FPTA Board of Directors & Students

3315 Chapel Creek Circle

Wesley Chapel FL undefined

Phone: 801 259-7007

Committee meeting was reported out: Thursday, February 16, 2012 3:24:56PM



COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 799 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Goodson offered the following:

3  
4 **Amendment**

5 Remove lines 41-43 and insert:  
6 not obtained within 6 months after the date of graduation from a  
7 physical therapy program.

8  
9  
10 Remove lines 83-85 and insert:  
11 not obtained within 6 months after the date of graduation from a  
12 physical therapy program.

# COMMITTEE MEETING REPORT

## Education Committee

2/16/2012 9:00:00AM

**Location:** Reed Hall (102 HOB)

**CS/CS/HB 1191 : Parent Empowerment in Education**

Favorable With Committee Substitute

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Janet Adkins	X				
Michael Bileca	X				
Jeffrey Brandes	X				
Dwight Bullard		X			
Gwyndolen Clarke-Reed		X			
Marti Coley	X				
Daniel Davis	X				
Erik Fresen	X				
Luis Garcia, Jr.		X			
Martin Klar		X			
Jose Oliva	X				
H. Marlene O'Toole	X				
Betty Reed		X			
Jimmie Smith	X				
Cynthia Stafford		X			
Kelli Stargel	X				
John Tobia			X		
William Proctor (Chair)	X				
<b>Total Yeas: 11</b>		<b>Total Nays: 6</b>			

### CS/CS/HB 1191 Amendments

#### Amendment 056713

Adopted Without Objection

### Appearances:

Parent Empowerment in Education  
Seri Powell, Director (Lobbyist) - Proponent  
Student First  
330 W 45th Street, Apt 10E  
New York NY 10036  
Phone: 202-697-1100

Parent Empowerment in Education  
Deborah Gianoulis, Education Advocate (General Public) - Opponent  
Save Duval Schools  
2070 Oak Hammock Drive  
Ponte Vedra Beach FL 32082  
Phone: 904-655-6384

Committee meeting was reported out: Thursday, February 16, 2012 3:24:56PM

# COMMITTEE MEETING REPORT

## Education Committee

2/16/2012 9:00:00AM

**Location:** Reed Hall (102 HOB)

**CS/CS/HB 1191 : Parent Empowerment in Education (continued)**

**Appearances: (continued)**

Parent Empowerment in Education

Linda Kobert, Education Advocate - Opponent

Fund Education Now.org  
1215 Delaney Avenue  
Orlando FL 32806  
Phone: 407-422-2888

Parent Empowerment in Education

Linda Serrato, Deputy Communications Director - Proponent

Parent Revolution  
315 W. 9th Street, #1000  
Los Angeles CA 90015  
Phone: 909-287-9667

Parent Empowerment in Education

Matt Minnick (General Public) - Waive In Support

1321 Cherry Street  
Tallahassee FL  
Phone: 850-933-8809

Parent Empowerment in Education

Jonathan Rees, Governmental and Political Affairs Coordinator (Lobbyist) - Waive In Support

Associated Industries of Florida  
516 N. Adams Street  
Tallahassee FL 32301  
Phone: 850-224-7173

Parent Empowerment in Education

Enrique Escallon (General Public) - Opponent

Florida PTA  
4371 SW 150 Ct.  
Miami FL 33185  
Phone: 305-761-7205

Parent Empowerment in Education

Stacey Webb (Lobbyist) - Waive In Support

Florida Chamber of Commerce  
123 S. Adams Street  
Tallahassee FL 32301  
Phone: 850-671-4401

Parent Empowerment in Education

Shirley Ford, Director of AA Affairs (General Public) - Proponent

Parent Revolution  
315 W. 9th Street  
Los Angeles CA 90018  
Phone: 213-985-8749

Committee meeting was reported out: Thursday, February 16, 2012 3:24:56PM

# COMMITTEE MEETING REPORT

## Education Committee

2/16/2012 9:00:00AM

**Location:** Reed Hall (102 HOB)

**CS/CS/HB 1191 : Parent Empowerment in Education (continued)**

**Appearances: (continued)**

Parent Empowerment in Education

Joanna Hassell, Policy Analyst (Lobbyist) - Waive In Support

Foundation for Florida's Future

215 S. Monroe Street

Tallahassee FL

Phone: 850-391-3070

Parent Empowerment in Education

Michael Monroe (Lobbyist) - Opponent

Florida Education Association

213 S Adams St

Tallahassee FL 32301

Phone: 850-224-2078

Committee meeting was reported out: Thursday, February 16, 2012 3:24:56PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1191 (2012)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED \_\_\_\_\_ (Y/N)  
ADOPTED AS AMENDED \_\_\_\_\_ (Y/N)  
ADOPTED W/O OBJECTION  (Y/N)  
FAILED TO ADOPT \_\_\_\_\_ (Y/N)  
WITHDRAWN \_\_\_\_\_ (Y/N)  
OTHER \_\_\_\_\_

1 Committee/Subcommittee hearing bill: Education Committee  
2 Representative Bileca offered the following:

3  
4 **Amendment (with title amendment)**

5 Remove everything after the enacting clause and insert:  
6 Section 1. Subsection (3) of section 1001.10, Florida  
7 Statutes, is amended to read:

8 1001.10 Commissioner of Education; general powers and  
9 duties.—

10 (3) To facilitate innovative practices and ~~to allow~~ local  
11 selection of educational methods, the State Board of Education  
12 may authorize the commissioner to waive, upon the request of a  
13 district school board, state board ~~of Education~~ rules that  
14 relate to ~~district~~ school instruction and ~~school~~ operations,  
15 except those rules pertaining to civil rights, and student  
16 health, safety, and welfare. The Commissioner of Education is  
17 not authorized to grant waivers for any provisions in rule  
18 pertaining to the allocation and appropriation of state and  
19 local funds for public education; the election, compensation,

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1191 (2012)

Amendment No. 1

20 and organization of school board members and superintendents;  
21 graduation and state accountability standards; financial  
22 reporting requirements; reporting of out-of-field teaching  
23 assignments under s. 1012.2315(5) ~~1012.42~~; public meetings;  
24 public records; or due process hearings governed by chapter 120.  
25 No later than January 1 of each year, the commissioner shall  
26 report to the Legislature and the State Board of Education all  
27 approved waiver requests in the preceding year.

28 Section 2. Paragraph (d) is added to subsection (21) of  
29 section 1002.20, Florida Statutes, and subsections (24) and (25)  
30 are added to that section, to read:

31 1002.20 K-12 student and parent rights.—Parents of public  
32 school students must receive accurate and timely information  
33 regarding their child's academic progress and must be informed  
34 of ways they can help their child to succeed in school. K-12  
35 students and their parents are afforded numerous statutory  
36 rights including, but not limited to, the following:

37 (21) PARENTAL INPUT AND MEETINGS.—

38 (d) Parent empowerment.—Parents of students who are  
39 assigned to a public school that does not improve performance  
40 following implementation of a school turnaround option under s.  
41 1008.33 may submit a petition to the school district requesting  
42 implementation of a school turnaround option pursuant to s.  
43 1003.07.

44 (24) PERSONNEL EVALUATION REPORTS.—Upon request by the  
45 parent of a public school student, the school district must  
46 provide the parent with the performance evaluation for each

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1191 (2012)

Amendment No. 1

47 classroom teacher assigned to his or her child, pursuant to s.  
48 1012.31.

49 (25) ASSIGNMENT TO TEACHERS.-

50 (a) Each school district shall annually notify the parent  
51 of each public school student assigned to a classroom teacher  
52 who is teaching out-of-field regarding such assignment. The  
53 notification must inform the parent that virtual instruction  
54 from a certified in-field teacher with an annual performance  
55 evaluation rating of effective or highly effective is available  
56 pursuant to s. 1012.2315(5).

57 (b) When a student is assigned to a classroom teacher who  
58 has received two consecutive annual performance evaluation  
59 ratings of unsatisfactory, two annual performance evaluation  
60 ratings of unsatisfactory within a 3-year period, or three  
61 consecutive annual performance evaluation ratings of needs  
62 improvement or a combination of needs improvement and  
63 unsatisfactory under s. 1012.34, the school district shall  
64 notify the parent regarding the performance evaluation rating of  
65 the classroom teacher. The notification must inform the parent  
66 that virtual instruction from a teacher with an annual  
67 performance evaluation rating of effective or highly effective  
68 is available pursuant to s. 1012.2315(7).

69 Section 3. Paragraph (c) of subsection (7) of section  
70 1002.32, Florida Statutes, is amended to read:

71 1002.32 Developmental research (laboratory) schools.-

72 (7) PERSONNEL.-

73 (c) Lab school faculty members shall meet the  
74 certification requirements of s. ~~ss.~~ 1012.32 and ~~1012.42.~~

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1191 (2012)

Amendment No. 1

75 Section 4. Paragraph (b) of subsection (16) of section  
76 1002.33, Florida statutes, is amended to read:

77 1002.33 Charter schools.—

78 (16) EXEMPTION FROM STATUTES.—

79 (b) Additionally, a charter school shall be in compliance  
80 with the following statutes:

81 1. Section 286.011, relating to public meetings and  
82 records, public inspection, and criminal and civil penalties.

83 2. Chapter 119, relating to public records.

84 3. Section 1003.03, relating to the maximum class size,  
85 except that the calculation for compliance pursuant to s.  
86 1003.03 shall be the average at the school level.

87 4. Section 1012.22(1)(c), relating to compensation and  
88 salary schedules.

89 5. Section 1012.33(5), relating to workforce reductions.

90 6. Section 1012.335, relating to contracts with  
91 instructional personnel hired on or after July 1, 2011.

92 7. Section 1012.34, relating to the substantive  
93 requirements for performance evaluations for instructional  
94 personnel and school administrators.

95 8. Section 1012.2315(5) and (7), relating to notifications  
96 and assignment of teachers.

97 Section 5. Section 1003.07, Florida Statutes, is created  
98 to read:

99 1003.07 Parent empowerment.—

100 (1) This section may be cited as the "Parent Empowerment  
101 Act."



Amendment No. 1

102 (2) Each school district must provide written notification  
103 to the parents of eligible students, as defined in paragraph  
104 (3) (b), and the school advisory council when a public school has  
105 been unable to improve performance and must implement a school  
106 turnaround option as required under s. 1008.33. The written  
107 notification shall inform parents that they may, by petition,  
108 request implementation of a school turnaround option by the  
109 school in the following school year. The notification shall be  
110 provided to parents within 30 calendar days after the school  
111 district receives notice from the Department of Education that  
112 the school must implement a school turnaround option. The  
113 notification by the school district shall include:

114 (a) A description of each school turnaround option  
115 available for selection under s. 1008.33;

116 (b) A description of the process for implementing school  
117 turnaround options, including the date by which the school  
118 district must submit its implementation plan to the State Board  
119 of Education;

120 (c) The date and location for submission of the petition;

121 (d) The date and location of the publicly noticed district  
122 school board meeting required under paragraph (4) (a) at which  
123 the school board will consider any school turnaround option,  
124 including a parent petition; and

125 (e) School district contact information for questions.

126 (3) (a) Prior to the school district's selection and  
127 implementation of a school turnaround option for the following  
128 school year, parents may submit a petition selecting an  
129 available school turnaround option, as described pursuant to

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Amendment No. 1

130 paragraph (2)(a), for consideration by the district school  
131 board.

132 (b) Up to one parental vote per eligible student may be  
133 counted with respect to parent signatures on the petition. An  
134 eligible student is a student enrolled in the school in which  
135 the school turnaround option will be implemented or, according  
136 to the district school board's enrollment policies, a student  
137 who is scheduled the following school year for assignment to  
138 that school.

139 1. A parental vote is the signature of one parent unless  
140 the other parent objects in writing to the petition vote, in  
141 which case the parental vote counts for one-half per eligible  
142 student. The objection must be made before the date the petition  
143 is to be submitted pursuant to subsection (2).

144 2. Notwithstanding subparagraph 1., a parental vote is the  
145 signature of the parent who has been assigned sole parental  
146 responsibility or ultimate responsibility for education  
147 decisions pursuant to s. 61.13.

148 (c) A parent must date each petition on the day it is  
149 signed and identify each eligible student on the petition. The  
150 parent's signature shall constitute a certification that the  
151 parent has a present intention to enroll each eligible student  
152 in the school if the school turnaround option identified on the  
153 petition is selected. A parent may sign the petition prior to  
154 the initial notification provided to the parents of eligible  
155 students pursuant to subsection (2).

156 (d) The school district shall verify at least a majority  
157 of the signatures on the petition using existing student

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1191 (2012)

Amendment No. 1

158 enrollment documentation or other records containing parent  
159 signatures. However, a notarized signature of a person who is a  
160 parent of an eligible student shall be treated as valid.  
161 Signatures not verified within the established verification  
162 period shall be treated as valid.

163 (e) A signature gatherer may not be paid per signature  
164 and, if asked, must disclose the organization he or she  
165 represents.

166 (4) (a) The school turnaround option selected by parents  
167 must be considered for implementation by the district school  
168 board at a publicly noticed school board meeting if the petition  
169 is signed and dated by a majority of the parents of eligible  
170 students. A majority is more than one-half of the parents who  
171 are eligible to sign the petition pursuant to paragraph (3) (b).  
172 If petitions for more than one school turnaround option are  
173 signed by a majority of the parents, the petition having the  
174 most such signatures shall be deemed the official turnaround  
175 option selected by parents.

176 (b) The district school board may adopt the school  
177 turnaround option selected by parents or a different school  
178 turnaround option selected by the school board. If the district  
179 school board does not adopt the school turnaround option  
180 selected by parents, it must include that option with the  
181 implementation plan submitted to the State Board of Education  
182 under s. 1008.33. If the state board determines that the school  
183 turnaround option selected by parents is more likely to improve  
184 the academic performance of students at the school, it shall  
185 return the district school board's implementation plan to the

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1191 (2012)

Amendment No. 1

186 school board. The district school board shall submit to the  
187 state board an implementation plan for the school turnaround  
188 option selected by parents.

189 (5) The State Board of Education shall adopt rules to  
190 establish a model petition format, the petition submission  
191 process, standards for verifying signatures, and timelines for  
192 district school board validation and consideration of a petition  
193 at a publicly noticed meeting. The rules must provide a sample  
194 petition form for each school turnaround option available for  
195 selection under s. 1008.33 with easy-to-understand instructions.  
196 Each petition form shall clearly identify only one school  
197 turnaround option on the front page of the petition and each  
198 page thereafter. The petition forms must be provided or made  
199 easily accessible to parents at the time of notification by the  
200 school district pursuant to subsection (2). The rules shall  
201 provide the following:

202 (a) A minimum of 30 days after initial notification,  
203 pursuant to subsection (2), for parents of eligible students to  
204 gather petition signatures.

205 (b) A maximum of 30 days after the date the petition is  
206 submitted for the school district to verify the signatures.

207 (c) A minimum of 30 days between the submission of a  
208 petition and the district school board meeting to consider the  
209 petition.

210 (d) A submitted petition may list only one school  
211 turnaround option identified in s. 1008.33 that is not currently  
212 being implemented at the school.

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Amendment No. 1

213 (e) A parent may sign a petition for each school  
214 turnaround option.

215 (f) A school district may not reject a parent signature on  
216 a petition based on a lack of conformity to signatures in school  
217 records if the parent's identity and signature can be easily  
218 validated with a photographic identification, a notarized  
219 signature verifying the identity of the signer, or by the  
220 personal knowledge of a school employee.

221 (g) A school district may not reject a parent signature on  
222 a petition on the basis that the parent signed the petition  
223 prior to the initial notification pursuant to subsection (2).

224 Section 6. Subsection (5) of section 1008.33, Florida  
225 Statutes, is amended to read:

226 1008.33 Authority to enforce public school improvement.—

227 (5) (a) In the school year after a school is initially  
228 identified as a school in the lowest-performing category, the  
229 school district must submit a plan, which is subject to approval  
230 by the State Board of Education, for implementing one of the  
231 following school turnaround options at the beginning of the next  
232 school year. The plan must be implemented unless the school  
233 moves from the lowest-performing category:

234 1. Convert the school to a district-managed turnaround  
235 school by means that include implementing a turnaround plan  
236 approved by the Commissioner of Education which shall become the  
237 school's improvement plan;

238 2. Reassign students to another school and monitor the  
239 progress of each reassigned student;

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1191 (2012)

Amendment No. 1

240 3. Close the school and reopen the school as one or more  
241 charter schools, each with a governing board that has a  
242 demonstrated record of effectiveness; or

243 4. Contract with an outside entity that has a demonstrated  
244 record of effectiveness to operate the school.

245 (b) If a school does not move from the lowest-performing  
246 category during the initial year of implementing one of the  
247 school turnaround options in paragraph (a), the school district  
248 must submit a plan, which is subject to approval by the State  
249 Board of Education, for implementing a different option in  
250 paragraph (a) at the beginning of the next school year, unless  
251 the State Board of Education determines that the school is  
252 likely to move from the lowest-performing category if additional  
253 time is provided to implement intervention and support  
254 strategies. The State Board of Education shall determine whether  
255 a school district may continue to implement a school turnaround  
256 ~~an~~ option beyond 1 year while a school remains in the lowest-  
257 performing category.

258 (c) Parents of students who are assigned to a public  
259 school that is required by the State Board of Education to  
260 implement a school turnaround option may petition the school  
261 district to implement one of the turnaround options in paragraph  
262 (a) selected by the parents pursuant to s. 1003.07. A school  
263 implementing a school turnaround option during the 2011-2012 or  
264 2012-2013 school year is not subject to the requirements of s.  
265 1003.07 until the school is required to implement a different  
266 school turnaround option.

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1191 (2012)

Amendment No. 1

267 Section 7. Section 1012.2315, Florida Statutes, is amended  
268 to read:

269 1012.2315 Assignment of teachers.—

270 (1) LEGISLATIVE FINDINGS AND INTENT.—The Legislature finds  
271 disparities between teachers assigned to teach in a majority of  
272 schools that do not need improvement and schools that do need  
273 improvement pursuant to s. 1008.33. The disparities may be found  
274 in the assignment of temporarily certified teachers, teachers in  
275 need of improvement, and out-of-field teachers and in the  
276 performance of the students. It is the intent of the Legislature  
277 that district school boards have flexibility through the  
278 collective bargaining process to assign teachers more equitably  
279 across the schools in the district.

280 (2) ASSIGNMENT TO SCHOOLS CATEGORIZED AS IN NEED OF  
\_81 IMPROVEMENT.—School districts may not assign a higher percentage  
282 than the school district average of temporarily certified  
283 teachers, teachers in need of improvement, or out-of-field  
284 teachers to schools in one of the three lowest-performing  
285 categories under s. 1008.33(3)(b). Each school district shall  
286 annually certify to the Commissioner of Education that this  
287 requirement has been met. If the commissioner determines that a  
288 school district is not in compliance with this subsection, the  
289 State Board of Education shall be notified and shall take action  
290 pursuant to s. 1008.32 in the next regularly scheduled meeting  
291 to require compliance.

292 (3) SALARY INCENTIVES.—District school boards may ~~are~~  
293 ~~authorized to~~ provide salary incentives to meet the requirement  
294 of subsection (2). A district school board may not sign a

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1191 (2012)

Amendment No. 1

295 collective bargaining agreement that precludes the school  
296 district from providing sufficient incentives to meet this  
297 requirement.

298 (4) COLLECTIVE BARGAINING.--Notwithstanding provisions of  
299 chapter 447 relating to district school board collective  
300 bargaining, collective bargaining provisions may not preclude a  
301 school district from providing incentives to high-quality  
302 teachers and assigning such teachers to low-performing schools.

303 (5) ASSISTANCE TO OUT-OF-FIELD TEACHERS.--

304 (a) Each district school board shall adopt rules for  
305 implementing an assistance plan for each classroom teacher who  
306 is teaching out-of-field. The assistance plan must provide  
307 teachers who are teaching out-of-field with priority  
308 consideration in professional development activities and require  
309 such teachers to participate in a certification or staff  
310 development program that provides the competencies required for  
311 the assigned duties. A district school board may reimburse a  
312 teacher who is teaching out-of-field for a certification fee.  
313 The assistance plan must also include duties of administrative  
314 personnel and other instructional personnel for assisting a  
315 teacher who is teaching out-of-field in providing instructional  
316 services to students.

317 (b) The school district shall annually notify the parent  
318 of each student who is assigned to a classroom teacher who is  
319 teaching subject matter that is:

320 1. Outside the field in which the teacher is certified;

321 2. Outside the field that was the teacher's minor field of  
322 study; or

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1191 (2012)

Amendment No. 1

323 3. Outside the field in which the teacher has demonstrated  
324 sufficient subject area expertise, as determined by district  
325 school board policy in the subject area to be taught.  
326

327 The notification must inform the parent that virtual instruction  
328 from a certified in-field teacher with an annual performance  
329 evaluation rating of effective or highly effective under s.  
330 1012.34 is available to his or her child through the virtual  
331 instruction options listed under s. 1002.321(4).

332 (6)-(5) REPORT.-

333 ~~(a)~~ By July 1, 2012, the Department of Education shall  
334 annually report on its website, in a manner that is accessible  
335 to the public, the performance rating data reported by district  
336 school boards under s. 1012.34. The report must include the  
337 percentage of classroom teachers, instructional personnel, and  
338 school administrators receiving each performance rating  
339 aggregated by school district and by school.

340 (7) ASSIGNMENT OF TEACHERS BASED UPON PERFORMANCE

341 EVALUATIONS.-

342 (a)-(b) Notwithstanding ~~the provisions of~~ s.  
343 1012.31(3)(a)2., each school district shall annually notify  
344 ~~report to~~ the parent of any student who is assigned to a  
345 classroom teacher or school administrator having two consecutive  
346 annual performance evaluation ratings of unsatisfactory under s.  
347 1012.34, two annual performance evaluation ratings of  
348 unsatisfactory within a 3-year period under s. 1012.34, or three  
349 consecutive annual performance evaluation ratings of needs  
350 improvement or a combination of needs improvement and

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Amendment No. 1

351 unsatisfactory under s. 1012.34. The notification must inform  
352 the parent that virtual instruction from a teacher with a  
353 performance evaluation rating of highly effective or effective  
354 under s. 1012.34 is available to his or her child through the  
355 virtual instruction options listed under s. 1002.321(4).

356 (b) Upon request by the parent of a public school student,  
357 the school district shall provide the parent with the  
358 performance evaluation for each classroom teacher assigned to  
359 his or her child, pursuant to s. 1012.31.

360 (c) If a student is currently taught by a classroom  
361 teacher who receives, in that school year, a performance  
362 evaluation rating of needs improvement or unsatisfactory under  
363 s. 1012.34, the student may not be assigned the following school  
364 year to a classroom teacher in the same subject area who  
365 received a performance evaluation rating of needs improvement or  
366 unsatisfactory in the preceding school year.

367 Section 8. Section 1012.42, Florida Statutes, is repealed.

368 Section 9. This act shall take effect July 1, 2012.

369

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**T I T L E   A M E N D M E N T**

373

Remove the entire title and insert:

374

A bill to be entitled:

375

An act relating to parent empowerment in education; amending s.

376

1001.10, F.S.; conforming a cross-reference; amending s.

377

1002.20, F.S.; authorizing parents of students who are assigned

378

to certain underperforming public schools to submit a petition

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1191 (2012)

Amendment No. 1

379 to the school district requesting implementation of a school  
380 turnaround option; requiring a school district, upon request, to  
381 provide a parent with a performance evaluation for each  
382 classroom teacher assigned to his or her child; requiring  
383 notification to the parent of each student who is assigned to a  
384 classroom teacher who is teaching out-of-field or who has  
385 received unsatisfactory performance evaluations; requiring such  
386 notification to include information about the availability of  
387 virtual instruction; amending s. 1002.32, F.S.; correcting a  
388 cross-reference; amending s. 1002.33, F.S.; requiring charter  
389 schools to be in compliance with statutes relating to  
390 notifications and assignment of teachers; creating s. 1003.07,  
391 F.S., the Parent Empowerment Act; requiring each school district  
392 to notify parents of students attending a lowest-performing  
393 school that has been unable to improve performance and must  
394 implement a school turnaround option; authorizing parents to  
395 submit a petition requesting implementation of an available  
396 school turnaround option; providing requirements for submission  
397 of a petition and its consideration and adoption by the district  
398 school board; requiring the State Board of Education to adopt  
399 rules for the petition process and specifying requirements  
400 therefor; amending s. 1008.33, F.S.; identifying the options for  
401 improving a school identified in the lowest-performing category  
402 as school turnaround options; authorizing parents to submit a  
403 petition to the school district to implement a school turnaround  
404 option; amending s. 1012.2315, F.S.; requiring that each  
405 district school board adopt rules to implement an assistance  
406 plan for out-of-field classroom teachers and requiring their

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/CS/HB 1191 (2012)

Amendment No. 1

407 participation in certain programs; requiring that the school  
408 district annually notify the parent of each student assigned to  
409 an out-of-field classroom teacher or a classroom teacher who has  
410 received unsatisfactory performance evaluations; requiring such  
411 notification to include information about the availability of  
412 virtual instruction; requiring that a school district, upon  
413 request, provide a parent with the performance evaluation of  
414 each classroom teacher assigned to his or her child; prohibiting  
415 the consecutive assignment of students to classroom teachers who  
416 receive certain performance evaluations; repealing s. 1012.42,  
417 F.S., relating to teachers teaching out-of-field; providing an  
418 effective date.

# COMMITTEE MEETING REPORT

## Education Committee

2/16/2012 9:00:00AM

**Location:** Reed Hall (102 HOB)

### **Presentation/Workshop/Other Business Appearances:**

State University System

Dean Colson, Chair (General Public) - Information Only

Florida Board of Governors

255 Alhambra Circle

Coral Gables FL

Phone: 305-476-7410

State University System

Richard A. Yost (State Employee) - Information Only

Board Of Governors

2155 NW 3rd Place

Gainesville FL 32603

Phone: 352-275-7406

Committee meeting was reported out: Thursday, February 16, 2012 3:24:56PM



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## Board of Governors

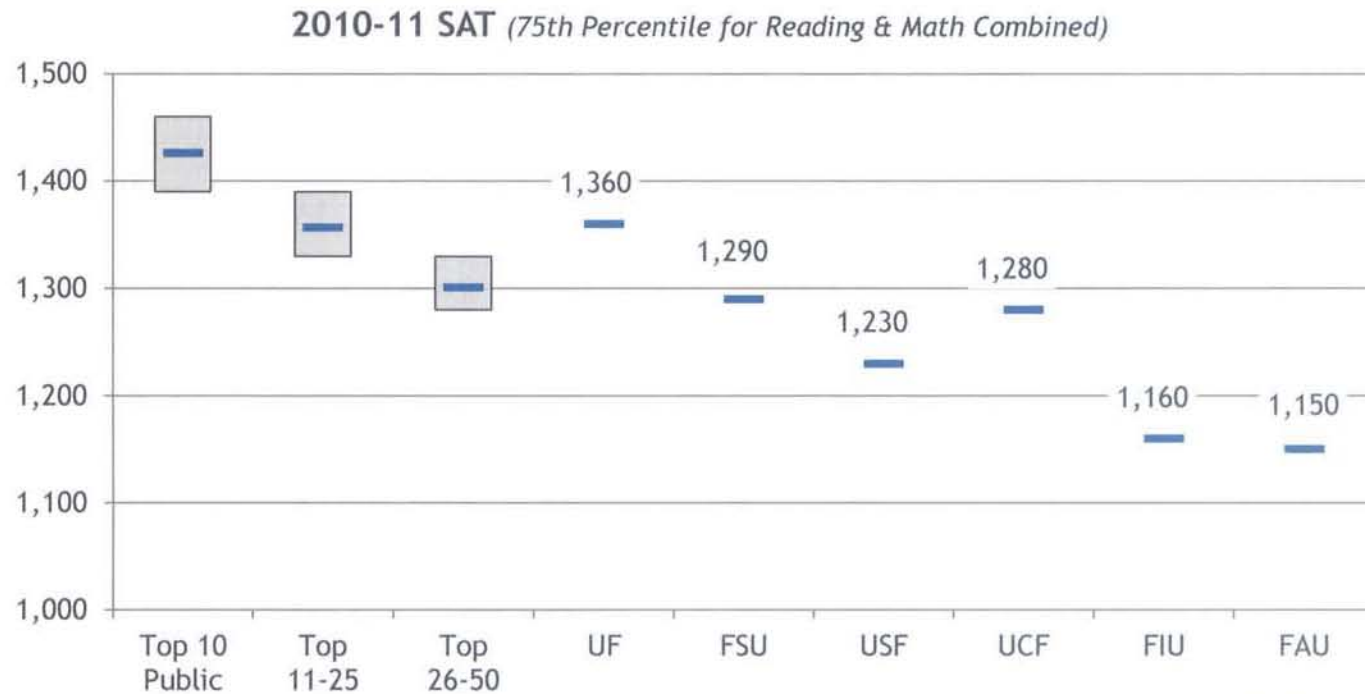
### State of the System

### House Education Committee

Chair Dean Colson  
February 16, 2012

[www.flbog.edu](http://www.flbog.edu)

# SAT Scores



Source: IPEDS



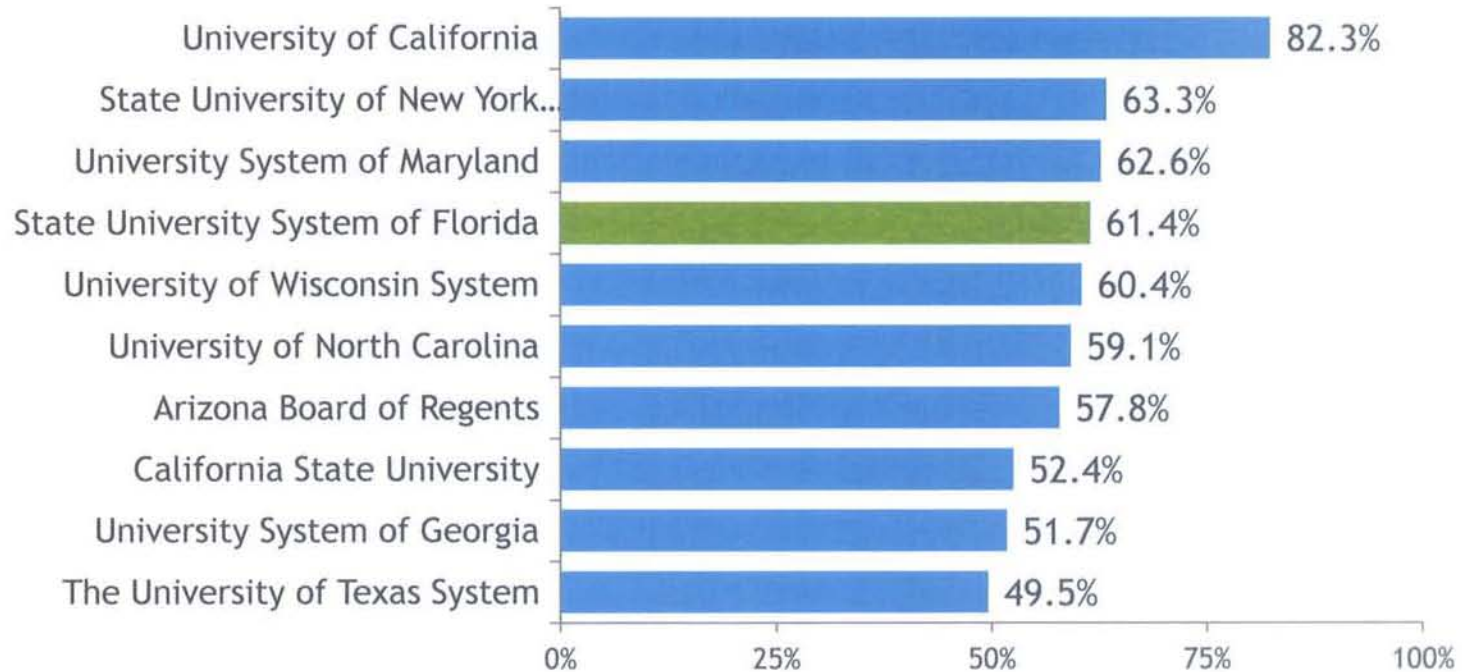
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# Six-Year Graduation Rates

SUS Six-Year Graduation Rate is 4<sup>th</sup>  
Among Ten Largest Public University Systems (2004-10)



Source: IPEDS for full-time, First-time in College Students. Note: Top ten Systems based on 2008-09 Baccalaureate degrees.



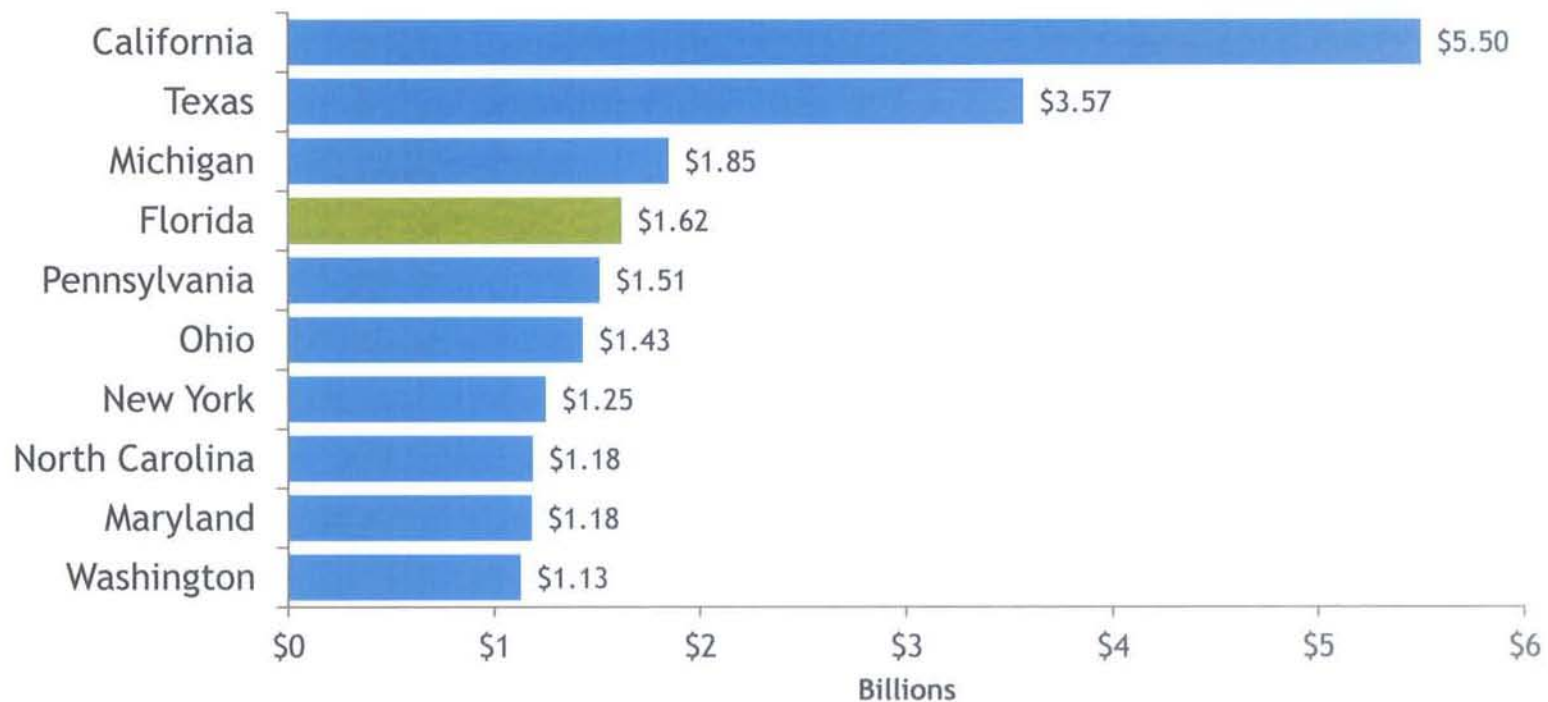
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# R&D Expenditures by System

2008-09 Research Expenditures  
for 4yr Public Universities



Source: National Science Foundation

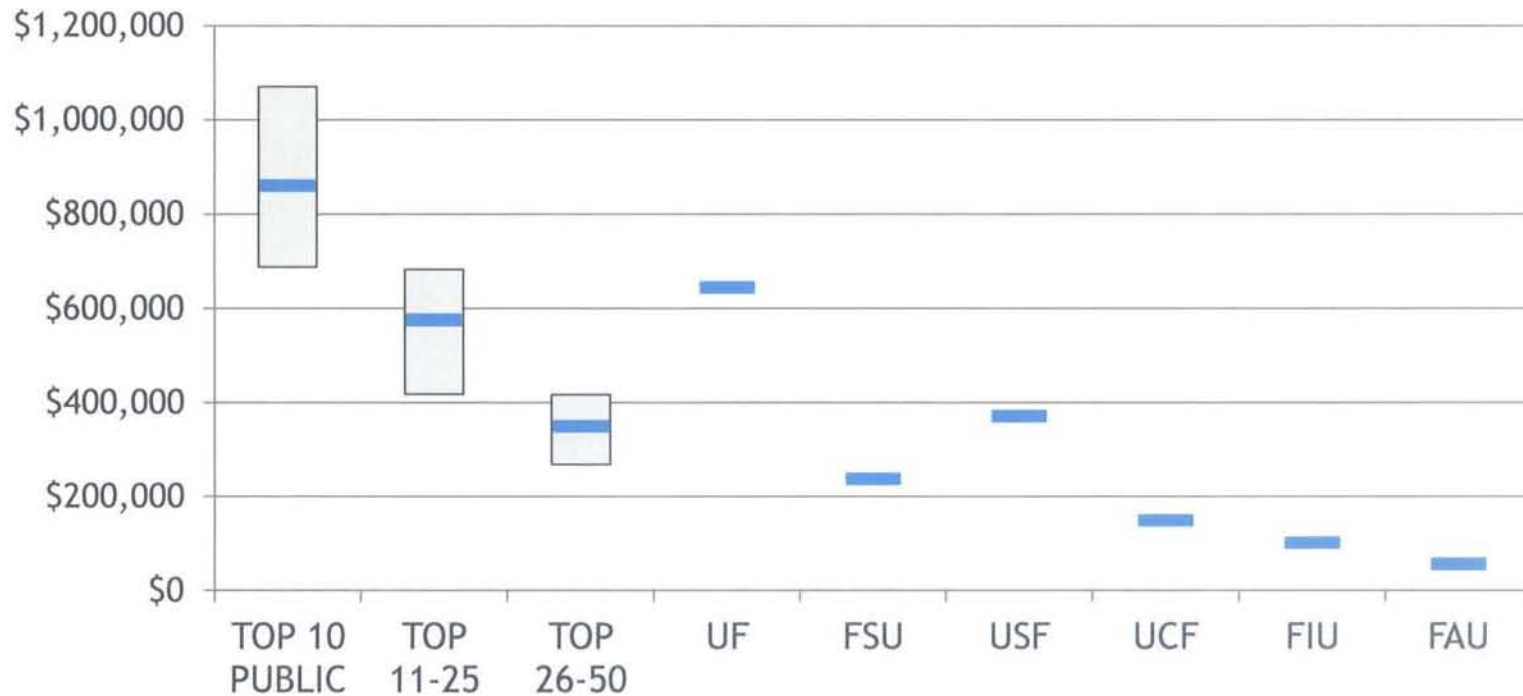


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# R&D Expenditures

TOTAL R&D Expenditures (FY2009)  
*Dollars in Thousands*



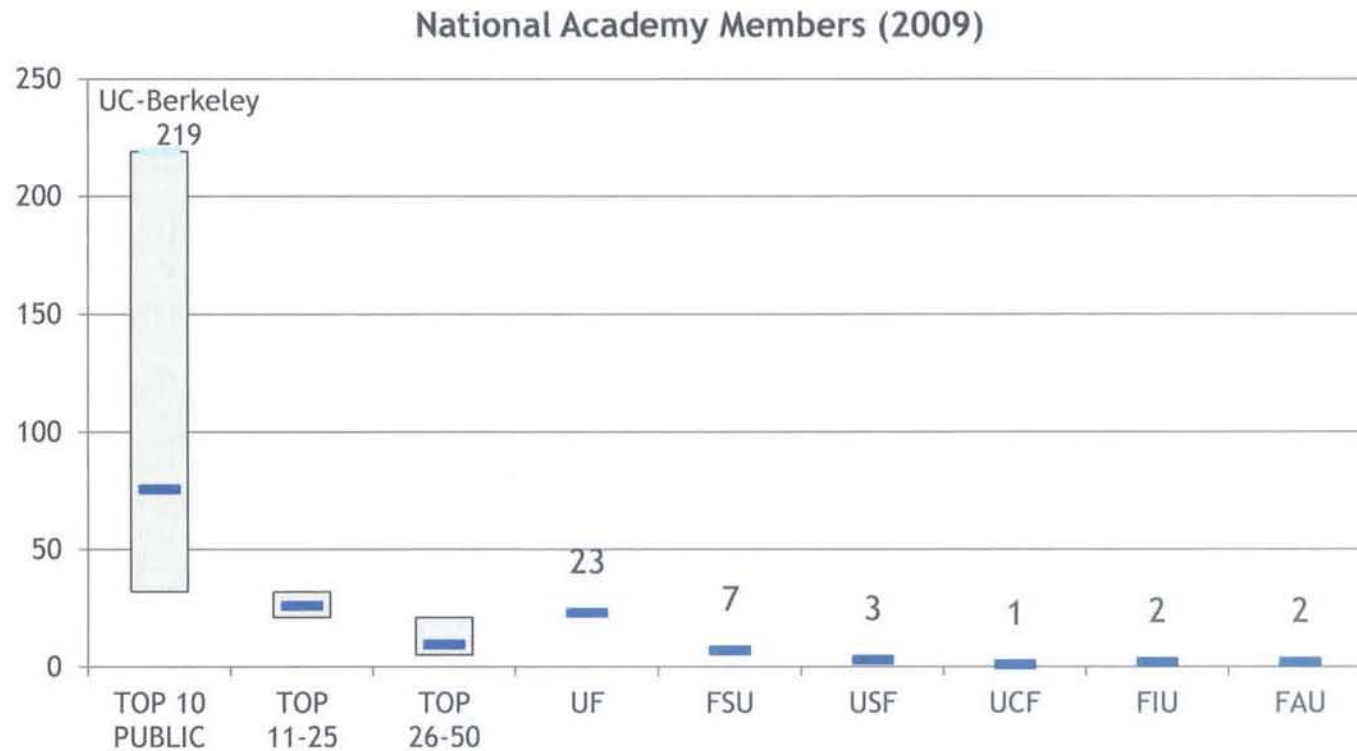
Source: National Science Foundation



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# National Academy Members



Source: TARU 2010 Annual Report



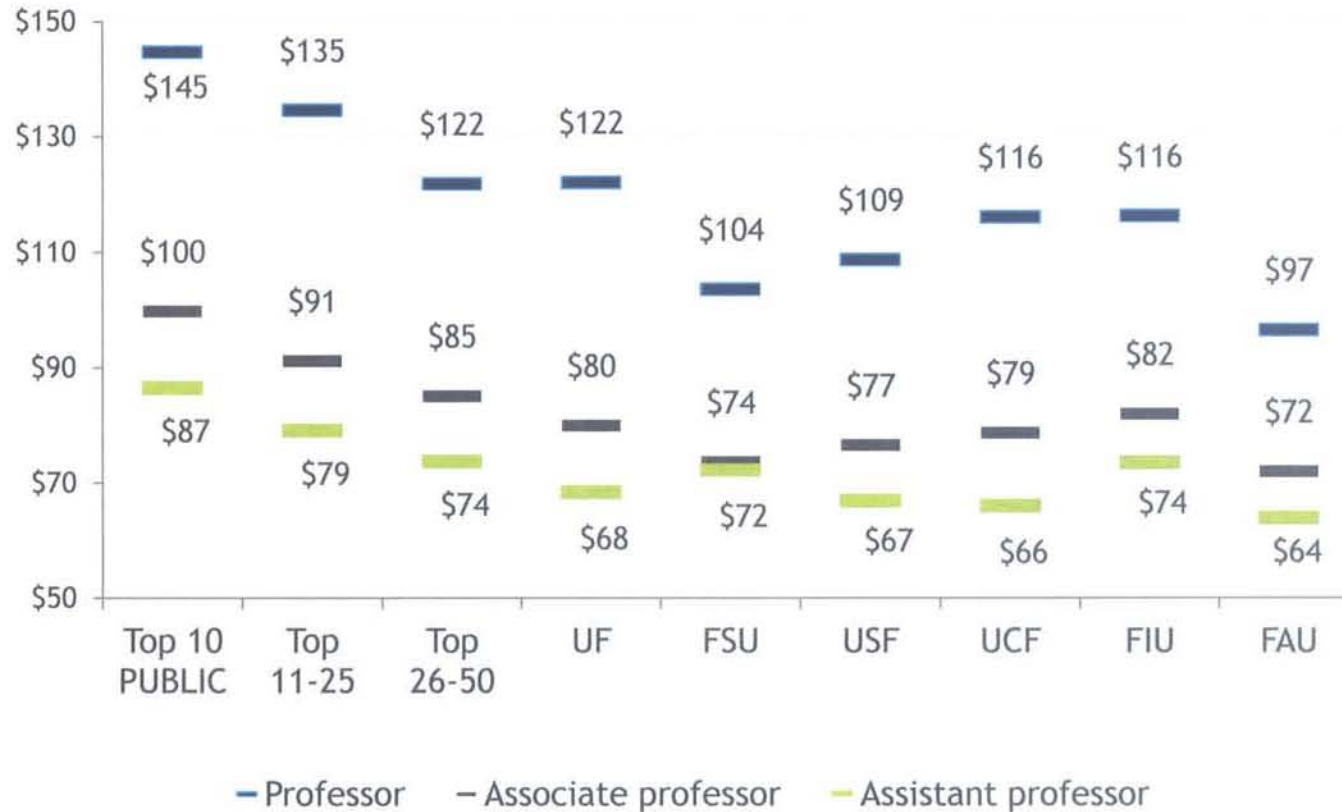
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# Faculty Salaries

Faculty Salary (2010-11)  
Dollars in Thousands

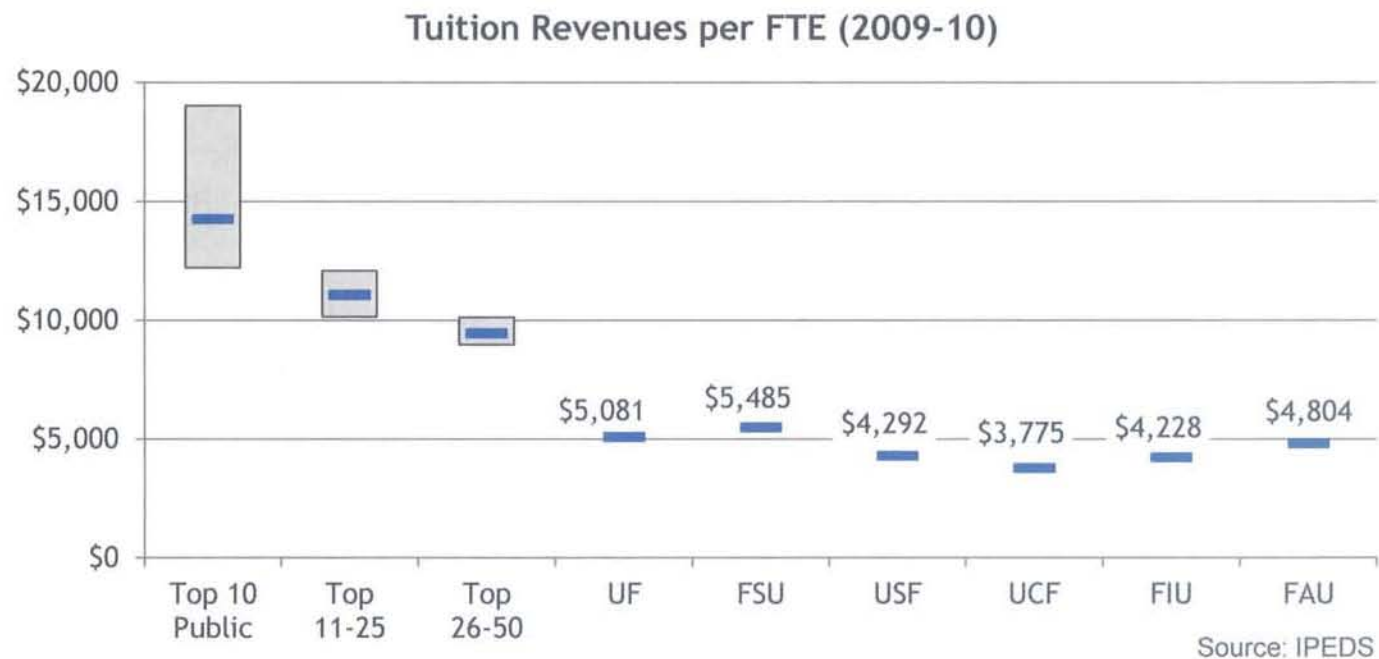


Source: AAUP



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# Tuition Revenues



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