

School District Superintendent Survey – Summary – October 25, 2012

In order to provide school district with relief from state regulations, and in an attempt to free up resources and time that can be better utilized. Districts were asked to review Section 1, which included a proposed list of regulations to be considered for repeal or modification.

Section 2 includes statutes or regulations that districts asked to be considered for inclusion in the survey.

Section 3 is a list of statutes or regulations that were requested to be considered by the department, etc. for inclusion.

Section 4 includes statutes and regulations which merit additional discussion.

Section 1 -- Deregulation

Number	Regulation/Title	Suggested Action
s. 403.7032(3), F.S.	Recycling - Requires each state agency, K-12 public school, public institution of higher learning, community college, and state university, including all buildings that are occupied by municipal, county, or state employees and entities occupying buildings managed by the Department of Management Services, must, at a minimum, annually report all recycled materials to the county using the department's designated reporting format.	Repeal
s. 1002.31, F.S.	Public School Choice - Requirement that school districts must develop a "controlled open enrollment" plan, provide applications to parents, and develop a process for implementation, including an appeals process.	Repeal reporting requirements in subsections (6) and (8). Review to streamline process.
s. 1002.37, F.S.	The Florida Virtual School - Include FLVS franchises in those entities that are allowed membership for more than 180 days in order to claim funding. Levels the playing field between FLVS and FLVS school district franchises and district virtual school programs; allows district students to continue to work through the summer to complete their virtual school course.	Modify
s. 1003.453, F.S.	School wellness and physical education policies; nutrition guidelines -	Repeal reporting requirement re to providing DOE a copy of school wellness and physical education policies and DOE's requirement to post links to this information.

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s. 1006.035, F.S.	Dropout reentry and mentor project	Repeal. Currently non-operational
s. 1006.051, F.S.	Sunshine Workforce Solutions Grant Program	Repeal. Currently non-operational
s. 1006.141, F.S.	Statewide school safety hotline	Repeal. Concerns should be reported to local law enforcement or local school officials.
s. 1006.40, F.S.	Use of instructional materials allocation; instructional materials, library books, and reference books; repair of books	<p>Revise instructional materials process to:</p> <ul style="list-style-type: none"> <input type="checkbox"/> DOE shall review materials for alignment to common core, but do not require adoption list. <p>Allow school districts not to have to spend 50 percent on state- adopted list and remove purchase requirement within two years.</p> <p>Statute should be revised to provide that materials purchased that are not on the state adopted list must have intellectual content that are aligned to the state standards and shall be used instead of state adopted core materials</p>
s. 1008.25, F.S., –	Public school student progression; remedial instruction; reporting requirements	Repeal reporting requirement that the districts publish results in the newspaper of public school progression of their students. Recommend posting to each individual district website.

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Section 2 includes statutes or regulations that districts asked to be considered for inclusion in the survey

Number	Regulation/Title	Suggested Action
s. 120.74(3), F.S.	Agency review, revision, and report of rules	Eliminate reporting requirement describing each rule the school district proposes to adopt for the 12-month period beginning July 1 and ending on the subsequent June 30, excluding emergency rules.
s. 1001.42(24), F.S.	Reduce paperwork and data collection and reporting	Repeal statute
s. 1002.23, F. S.	Family and School Partnership for Student Achievement Act	<p>Schools and districts are already required to address parent notification and involvement through the school improvement process and in the district improvement plan.</p> <p>Repeal Subsection (4). The DOE parent response center no longer exists.</p> <p>Repeal subsection (6) as there should not be a need to report to DOE. . Subsection (6) requires each district to submit to DOE a copy of its rules regarding family empowerment, but DOE does not approve or recommend changes, only checks off submission.</p> <p>Repeal subsection (9). Subsection (9) requires SBE to annually review each district's compliance with s. 1002.23, F.S. This is redundant and over bureaucratic. Commissioner has authority to investigate noncompliance and SBE has authority to withhold funds for noncompliance.</p>
s. 1002.3105, F.S.	ACCEL Options	Repeal reporting requirements.
s. 1002.37, F.S.	The Florida Virtual School	Amend statute to ease the burden placed on districts that test virtual students at their public zoned school; authorizes districts to determine place where tests administered.
s. 1002.41, F.S.	Home education programs	Repeal requirement for districts to monitor students who leave school and enroll as home school students.
s. 1002.45 (1)(e) and (2)(b), F.S.	Virtual instruction programs	Repeal requirement for school districts to offer three options to families.

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s. 1003.496, F.S.	High School to Business Career Enhancement Program	Repeal statute
s. 1003.497, F.S.	Service Learning	Repeal statute
s. 1003.621(4), F.S.	Academically high performing school districts	Streamline reporting requirements for student performance.
s. 1006.025, F.S.	Guidance Services	Repeal statute
s. 1008.22(8)(b), F.S.	Student assessment program for public schools	Amend statute to shift the responsibility of creating end-of-course exams for every course from the districts to the state and only implement the exams as they are developed.
s. 1008.345(18)(a), F.S.	School improvement plan	Amend statute to allow districts the flexibility to determine how best to require schools to review their data and set goals for improvement or require the completion of the plan only for failing schools.
s. 1010.215, F.S.	<p>Definitions for the functions specified in this subsection are specified in State Board of Education rules.</p> <p>(5) The annual school public accountability report required by ss. 1001.42(18) and 1008.345 must include a school financial report. The purpose of the school financial report is to better inform parents and the public concerning how funds were spent to operate the school during the prior fiscal year. Each school's financial report must follow a uniform, district wide format that is easy to read and understand.</p>	<p>This is part of the Education Funding Accountability statute that requires the uniform reports that identify administrative cost. This subsection also requires a school level report to be sent home to parents. The department prepares the template and populates the information for the district. The district has to add a couple of items. And most of them post it to the website as notification.</p> <p>DOE should review for duplication with other reports. All reporting requirements should be streamlined.</p>
s. 1013.35, F.S.	School district educational facilities plan; definitions; preparation, adoption, and amendment; long-term work programs.	Streamline reporting requirements --much of the data is imported from other sources such as F.I.S.H. and the Educational Plant Survey.
s. 1013.721, F.S.	A Business-Community (ABC) School Program	Repeal statute
Rule 6a-1.09941, F.A.C.	State Uniform Transfer of High School Credits	<p>It is in opposition to s. 1003.433(1), F.S. and s. 1003.05(1), F.S.</p> <p>Students who have received credit in another state or country for a course should not be required to take the EOC or applicable state assessment.</p> <p>Link to rule-- https://www.flrules.org/gateway/ruleNo.asp?id=6A-1.09941</p>

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Rule 1B-24.003(11), F.A.C.	Compliance to record retention	Eliminate reporting requirement on the disposition of destroyed documents.
Rule 1B-24.003(13), F.A.C.		The Department of State has oversight authority for these rules.

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Section 3 is a list of statues or regulations that were requested to be considered by the department, etc. for inclusion.

Number	Regulation/Title	Suggested Action
DOE 13-A - Discipline Reporting	There is an obsolete requirement for principals to include an analysis of suspensions and expulsions in the annual report of school progress.	Repeal The statute requiring and annual report of school progress was repealed. Discipline data is now reported through another mechanism. 1006.09(1)(d)
DOE 13-B – ePEP	In 2012, reference to EPEP was deleted in s. 1003.4156	Delete reference to ePEP in s. 1003.413(3)(i). ePEP should not be referenced by name, instead use "personalized academic and career plan" like 1003.4156
DOE 13-C – Athletics	Remove old laws in Florida Statutes that are not enforced.	Delete s. 1006.17 and 1006.70, F.S., sponsorship of athletic activities.
DOE 13-D – Repeal unfunded programs	Seminole and Miccosukee Indian Scholarship last funded by Legislature in 2001-2002 fiscal year.	Repeal s. 1009.56. DOE will be in compliance with s. 1009.96, F.S., which provided for repeal of financial assistance programs that lose funding for 3 consecutive years.
DOE 13-E	Technological advancements since this statute was implemented in 1984 and the implementation of the Automated Student Database Systems have eliminated the need for the districts to submit paper forms to the FDOE with this confidential student information. The transfer of the initial list of Missing Children data between FDLE, DOE, and the districts is now electronic. The law requires districts to copy the FDOE when data is provided to FDLE regarding missing children this is a duplication of data collection. FDOE has never been required to prepare any reports using this data, as its implications pertain to FDLE.	The Florida Department of Law Enforcement (FDLE) provides an electronic listing of missing children in Florida to FDOE, which in turn makes this listing available to all districts via Northwest Regional Data Center (NWRDC). The districts are then required to download this data from NWRDC and compare their enrollment records for any possible matches on the missing children list. If any of the missing children are enrolled in their districts, they must contact their local law enforcement agencies immediately. In addition, they are currently required to copy this same information to the FDOE within 72 hours. This is a duplication of data collection between agencies and is an unnecessary burden to the districts. The proposed change would require the districts to report students located on the Missing Children’s Registry only to the FDLE and would eliminate the additional reporting requirement to FDOE. The districts will continue to report located children to their local law enforcement agencies. The effect is to decrease the reporting burden for school districts by eliminating redundancy in this rule that requires districts to report located students listed on the missing children registry to both local law enforcement agencies and the FDOE. s. 937.023, F.S.; Rule 6A-6.083, FAC
s. 1012.98(4)(b)5., F.S.	School Community Professional Development Act	This deals with IPDP. References throughout statutes should be removed. New evaluations have a practice component. This is duplicative.

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s. 1001.435, F.S.	K-12 Foreign Language Curriculum; plan submittal	Enacted in 2002, requires each district school board to develop a plan for a K-12 foreign language curriculum and to submit that plan to the Commissioner of Education by June 30, 2004. The date by which each school board was to submit curriculum to Commissioner has passed.
s. 1002.375 s. 1011.61(1)(c)1.b.(VII) (references alternative credit)	Alternative credit for high school courses; pilot project	Enacted in 2008, allows Commissioner to implement pilot project in up to three school districts beginning in 2008-09. Pilot enabled high school students enrolled in career academies to simultaneously earn alternative credit for Algebra, Geometry, or Biology, while completing similar academic coursework. The pilot project no longer exists. Only one high school participated in the pilot project.
s. 1003.4285(1), F.S.	Standard High School Diploma Designations	Enacted in 2008, requires each standard high school diploma, by the beginning of 2008-09, to include a designation of the student's major area of interest pursuant to completion of the student's required credits. Obsolete due to the repeal of s.1003.428(2)(b), F.S., which required students to choose a major area of interest. (repealed in SB 4, 2010).
s. 1003.43, F.S.	General Requirements for high school graduation	Enacted in 1978 (s. 32.246, F.S.), provides requirements for graduation. Obsolete. Section 1003.428, F.S., sets forth revised graduation requirements beginning with students entering 9 th grade in 2007-08. See also s. 617.1907, F.S., effect of repeal or amendments of prior acts.
s. 1004.62, F.S.	Incentives for Urban or Socially and Economically Disadvantaged Area Internships	Enacted in 1994 (s. 240.701, F.S.), establishes incentives for urban or socially and economically disadvantaged area internships to give university students the opportunity to study the social, economic, educational, and political life of inner cities in metropolitan or socially and economically disadvantaged areas of the state. Internship program is no longer in operation and has not received funding since 1999-2000.
s. 1006.02, F.S.	Provision of Information to Students and Parents Regarding School-to-Work Transition	Enacted in 1994 (s. 229.595, F.S.), requires all public K-12 schools to document the manner in which they have prepared students to enter the workforce including providing information regarding the provision of accurate, timely career and curricular counseling to students and a delineation of available career opportunities. Section is not necessary. Section 1003.491, F.S., The Florida Career and Professional Education Act, includes provisions that require strategic planning for the development and implementation of career academies to respond to critical workforce needs and to provide residents access to high-wage and high-demand careers and provide for personalized student advisement and parent participation. Section 1003.4156, F.S., requires a middle school career and education planning course.

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s. 1007.21, F.S.	Readiness for Postsecondary Education and the Workplace	<p>Enacted in 1997 (s. 232.2451, F.S.), allows schools, through their school advisory councils, the option of adopting a program in which students and parents develop academic achievement and career goals for the student's post-high-school experience during the middle grades and to develop during the middle grades a 4- to 5-year academic and career plan based on the student's postsecondary and career goals.</p> <p>Section is not necessary. Section 1003.4156, F.S., requires a middle school course in career and education planning.</p> <p>Section 1003.491, F.S., The Florida Career and Professional Education Act, includes provisions that require strategic planning for the development and implementation of career academies to respond to a critical workforce needs. In addition, one of the primary purposes of the Florida Career and Professional Education Act is to improve the academic performance of students in middle and high schools.</p>
s. 1012.58, F.S.	Transition to Teaching Program	<p>Enacted in 2001 (s. 229.604, F.S.), authorizes the Transition to Teaching Program. This program was designed to encourage and assist midcareer professionals who want to become teachers.</p> <p>The program is no longer funded or operational. DOE was awarded a grant by the USDOE in 2003 and again in 2007. These grants ended in October 2011.</p>

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Section 4 – Statutes and regulations which merit additional discussion.

Number	Regulation/Title	Suggested Action
s. 212.055, F.S. – Half penny sales tax flexibility	Renaming the school capital outlay surtax as the “Public K-12 School Surtax”; expanding the purposes for which revenues from the surtax may be used; requiring approval of the electors in order to use the surtax revenues for the additional purposes authorized by the act - see SB 980 by Margolis.	This is more critical issue in some districts than in others, but merits more thorough discussion of capital outlay needs of school districts.
s. 1002.395	Florida Tax Scholarship Program	Allows private schools to participate in statewide assessments for students grades 3-10 participating in the tax credit scholarship program. The district must provide the private school with the support necessary for the private school to administer the assessment including training, etc. Private schools will save money and benefit in participating in state assessments while the school districts will be stretched even further by having to support the private schools. Amend statute to require students to participate in accountability/assessment program and fund school districts to administer the assessments based on a per participant student cost.
s. 1002.69(1), F.S.	Statewide Kindergarten Screening - FLKRS	Amend statute to require the test to be administered at the end of Pre-K. This is more critical issue in some districts than in others. Need to address time consuming nature of assessment at the beginning of the school year.
s. 1003.03, F.S.	Class Size	Penalty for noncompliance imposed at school level compliance, same as for charter schools. Provide consideration for influx of military dependents.
s. 1003.428, F.S.	General requirements for high school graduations; revised	Repeal online requirement for graduation.
s. 1008.22, F.S.	Student assessment program for public schools	Amend statute and modify student assessment system to realistically transition to PARCC. Ensure transition and full implementation to PARCC is coordinated with sufficient curriculum, professional development, technology infrastructure/devices, etc. Timeline should be carefully considered to ensure that students and teachers are treated fairly and consistently. Amend statute to ensure that concordant scores are established when the primary assessment is administered. If they are not established, existing concordant scores remain in effect until new ones are established.
s. 1008.331, F.S.	Supplemental educational services in Title I school district	Amend statute to eliminate the required set-aside to pay providers to provide SES services.
s. 1008.34(7), F.S.	School grading system; school report cards; district grade	Amend statute so that a district's grade reflects the entire high school grading system: participation in accelerated curricula, performance in accelerated curricula, graduation rate, at risk graduation rate, and college readiness.

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s. 1011.42(4)(f), F.S.	Opening of schools no earlier than 14 days before labor day	Repeal Statute
s. 1011.61(1), F.S.	Specific Reference: (VIII)(A) A full-time equivalent student for courses requiring a statewide, standardized end-of-course assessment pursuant to s. 1008.22(3)(c)2.a. shall be defined and reported based on the number of instructional hours as provided in this subsection for the first 3 years of administering the end-of-course assessment. Beginning in the fourth year of administering the end-of-course assessment, the FTE shall be credit-based and each course shall be equal to 1/6 FTE. The reported FTE shall be adjusted after the student successfully completes the end-of-course assessment pursuant to s. 1008.22(3)(c)2.a.	Amend statute to provide weighted funding for those students who pass the EOC on the first administration.
s. 1012.22(1)(c) and (5), F.S.	Public school personnel; powers and duties of the district school board	Amend statute to provide more time and flexibility to districts in the application of Performance Pay
s. 1012.34(1)(7)(e) and (3)(a), F.S.	Personnel Evaluation Procedures and Criteria	Amend statute to extend or eliminate sunset clause in 1012.34(7)(e) to provide districts with a mechanism to continue to evaluate personnel using appropriate measures of student learning growth while district assessments are created and piloted.
No specific statute	Allow districts to expend additional revenues from the Virtual Instruction Programs on the costs incurred for the provider-operated programs such as verifying student eligibility, reporting student and teacher information to the DOE database and coordinating and administering state assessments for students instead of requiring that they be spent on LUIS and technology needs.	