



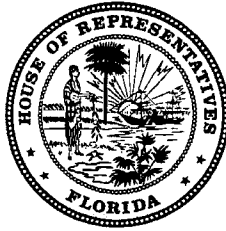
# **PreK - 12 Education Committee**

Revised

**Meeting  
Tuesday, November 8, 2005  
1:15 — 3:15 p.m.  
Morris Hall**

Allan G. Bense  
Speaker

Ralph Arza  
Committee Chair



# **Florida House of Representatives**

**Allan G. Bense**

**Speaker**

## **PreK-12 Education Committee**

**Ralph Arza, Chair**

**Representative Lorraine Ausley**

**Representative Ellyn Bogdanoff**

**Representative Marti Coley**

**Representative Frank Farkas**

**Representative Kenneth Gottlieb**

**Joe Pickens, Vice Chair**

**Representative Stan Mayfield**

**Representative Dave Murzin**

**Representative Curtis Richardson**

**Representative Trey Traviesa**

### **AGENDA**

**November 8, 2005**

- I. Chairman's Opening Remarks**
- II. HB 163 Child Safety by Cusack**
- III. Presentation on Department of Education/State Board Education Structure**
  - Representative Bogdanoff**
- IV. Discussion on Standardizing School Start Date**
  - Representatives Murzin and Gottlieb**
- V. Workshop on HJR 213 Authorizing the Division of a County into Two or More Districts by Brummer**
- VI. Adjournment**



1                                   A bill to be entitled  
 2           An act relating to child safety; requiring a person to  
 3           present picture identification before retrieving a student  
 4           from a public school, under certain circumstances;  
 5           requiring policies to be provided to the Department of  
 6           Education; requiring a person to present picture  
 7           identification before retrieving a child from a nonpublic  
 8           school or specified child care facilities, under certain  
 9           circumstances; requiring policies to be maintained on the  
 10          premises of each entity and available for inspection;  
 11          defining the term "picture identification"; providing an  
 12          effective date.

13  
 14   Be It Enacted by the Legislature of the State of Florida:

15  
 16           Section 1. No later than July 1, 2006, the school board of  
 17           each public school district shall adopt policies that will  
 18           ensure that students in prekindergarten through grade 8 in that  
 19           school district are not released from the schools to persons who  
 20           are not authorized to retrieve them. These policies shall  
 21           include a requirement that the person attempting to retrieve the  
 22           student, other than at the normal dismissal time, present  
 23           picture identification to the school principal or his or her  
 24           designee before the student is released to the person. As used  
 25           in this section, the term "picture identification" means a valid  
 26           state driver's license, a valid state identification card, or a  
 27           valid United States Military identification card. Copies of the  
 28           policies shall be provided to the Department of Education.

29           Section 2. No later than July 1, 2006, each nonpublic  
 30 school exempt from licensure under s. 402.3025, Florida  
 31 Statutes, child care facility licensed under s. 402.305, Florida  
 32 Statutes, large family child care home licensed under s.  
 33 402.3131, Florida Statutes, private school as defined in s.  
 34 1002.01, Florida Statutes, and faith-based child care facility  
 35 exempt from licensure under s. 402.316, Florida Statutes, shall  
 36 adopt policies that will ensure that the children in  
 37 prekindergarten through grade 8 in that nonpublic school, child  
 38 care facility, large family child care home, private school, or  
 39 faith-based child care facility are not released to persons who  
 40 are not authorized to retrieve them. These policies shall  
 41 include a requirement that the person attempting to retrieve the  
 42 child, other than at the normal dismissal time, present picture  
 43 identification to the appropriate school or child care official  
 44 or his or her designee before the child is released to the  
 45 person. As used in this section, the term "picture  
 46 identification" means a valid state driver's license, a valid  
 47 state identification card, or a valid United States Military  
 48 identification card. Copies of these policies shall be  
 49 maintained on the premises of each entity covered by this  
 50 section and be readily available for inspection.

51           Section 3. This act shall take effect upon becoming a law.

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

Bill No. 163

COUNCIL/COMMITTEE 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 Council/Committee hearing bill: PreK-12

2 Representative Cusack offered the following:

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

5 Remove everything after the enacting clause and insert:

6 Section 1. No later than December 1, 2006, the school board of  
 7 each public school district shall adopt a policy regarding the  
 8 release of students in prekindergarten through grade 8. Each  
 9 district's policy shall include a requirement that the person  
 10 attempting to retrieve the student, other than at the normal  
 11 dismissal time, presents personal identification to the school  
 12 principal or his or her designee before the student is released  
 13 to the person. As used in this section, the term "personal  
 14 identification" shall include a valid state driver's license, a  
 15 valid state identification card, a valid United States Military  
 16 identification card, a valid passport, biometric identification  
 17 or other personal identification as determined by the policy.  
 18 Copies of each policy shall be provided to the Department of  
 19 Education to be shared as best practices.

20 Section 2. No later than December 1, 2006, each nonpublic  
 21 school exempt from licensure under s. 402.3025, Florida  
 22 Statutes, child care facility licensed under s. 402.305, Florida

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

23 Statutes, large family child care home licensed under s.  
24 402.3131, Florida Statutes, private school as defined in s.  
25 1002.01, Florida Statutes, and faith-based child care facility  
26 exempt from licensure under s. 402.316, Florida Statutes, shall  
27 adopt a policy regarding the release of students in  
28 prekindergarten through grade 8 in their care. Each policy shall  
29 include a requirement that the person attempting to retrieve the  
30 child, other than at the normal dismissal time, presents  
31 personal identification to the appropriate school or child care  
32 official or his or her designee before the child is released to  
33 the person. As used in this section, the term "personal  
34 identification" shall include a valid state driver's license, a  
35 valid state identification card, a valid United States Military  
36 identification card, a valid passport, biometric identification  
37 or other personal identification as determined by the policy. A  
38 copy of the policy shall be maintained on the premises of each  
39 entity covered by this section and be readily available for  
40 inspection.

41 Section 3. This act shall take effect upon becoming a law.

42  
43

44 ===== T I T L E A M E N D M E N T =====

45 Remove the entire title and insert:

46 A bill to be entitled

47 An act relating to child safety; requiring a person to  
48 present personal identification before retrieving a  
49 student from a public school, under certain circumstances;  
50 requiring policies to be provided to the Department of  
51 Education; requiring a person to present personal  
52 identification before retrieving a child from a nonpublic  
53 school or specified child care facilities, under certain

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. 1

54 | circumstances; requiring policies to be maintained on the  
55 | premises of each entity and available for inspection;  
56 | defining the term "personal identification"; providing an  
57 | effective date.

58  
59



HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: HB 163 Child Safety
SPONSOR(S): Cusack
TIED BILLS: IDEN./SIM. BILLS:

Table with 4 columns: REFERENCE, ACTION, ANALYST, STAFF DIRECTOR. Row 1: 1) PreK-12 Committee, Beagle GEB, Mizereck LHM.

SUMMARY ANALYSIS

House Bill 163 requires the following entities to each adopt a policy relating to the retrieval of children prior to the normal dismissal time:

- Public schools;
Non-public schools exempt from licensure under s. 402.3025, F.S.;
A child care facility licensed under s. 402.305, F.S.;
A family day care facility licensed or registered under s. 402.3131, F.S.;
A private school as defined in s. 1002.01, F.S.; and
A faith-based child care provider exempt from licensure under s. 402.316, F.S.

These policies are intended to safeguard children from being released to persons who are not authorized to retrieve them. The policies must require persons attempting to retrieve a student from school, other than at the normal dismissal time, to present picture identification. Picture identification is defined as a valid state driver's license, a valid state identification card, or a valid United States military identification card.

The bill does not appear to have a fiscal impact on state or local governments.

The bill takes effect upon becoming law.

## FULL ANALYSIS

### I. SUBSTANTIVE ANALYSIS

#### A. HOUSE PRINCIPLES ANALYSIS:

**Provide Limited Government--** The bill requires public schools, non-public schools, and certain child care facilities to adopt policies requiring individuals to present valid picture identification before retrieving children from school prior to the normal dismissal time.

**Empower Families--** The bill lowers the risk of students being released to unauthorized persons, in public schools, non-public schools, and certain child care facilities.

#### B. EFFECT OF PROPOSED CHANGES:

##### Present Situation:

Presently, there is not a statewide policy requiring picture identification from individuals attempting to retrieve a child prior to the normal dismissal time. According to the Department of Education (DOE), public school districts and schools currently have flexibility in determining student retrieval policies.<sup>1</sup> Examples of existing public school policies include:

- Requiring picture identification only at the beginning of the school year until the person is recognized by school staff.
- Requiring that parents and guardians provide identification at the beginning of the year in exchange for an alternative form of identification such as a sticker, tag, or a flyer with the student's photograph and the photograph of the persons authorized to pick up the child.
- Requiring that parents and guardians provide picture identification to the school at the beginning of the year. In order to retrieve a student, the identification must match the list of authorized emergency contacts. Thus picture identification alone does not link a person to the child.<sup>2</sup>

Section 65C-22.006(4)(b), Florida Administrative Code, relating to licensed child care facilities, provides that "a child shall not be released to any person other than the person(s) authorized, or in the manner authorized in writing, by the custodial parent or legal guardian."<sup>3</sup> This section does not require picture identification and neither statute nor rule addresses policies for releasing children from family day care homes or from child care providers exempt from licensing.

##### Effects of Proposed Changes:

House Bill 163 requires district school boards, non-public schools, and certain child care facilities to adopt policies regarding the release of children in pre-kindergarten through grade 8. The bill requires the following entities to each adopt a student retrieval policy:

- Public schools;
- Non-public schools exempt from licensure under s. 402.3025, F.S.;
- A child care facility licensed under s. 402.305, F.S.;
- A family day care facility licensed or registered under s. 402.3131, F.S.;
- A private school as defined in s. 1002.01, F.S.; and
- A faith-based child care provider exempt from licensure under s. 402.316, F.S.

<sup>1</sup> Florida Department of Education, *2006 Legislative Bill Analysis for HB 163*, October 2005.

<sup>2</sup> Id.

<sup>3</sup> Fla. Admin. Code Ann. r. 65C-22.006 (2005).

Each policy shall include a requirement that individuals present one of three types of picture identification to a school or child care official before the child is released other than at normal dismissal time. The bill defines picture identification as a valid state driver's license, a valid state identification card, or a valid United States military identification card. Each district school board must submit a copy of its policy to the Department of Education. Other affected entities must maintain a copy of their policy on the premises.

The policies must be adopted no later than July 1, 2006.

The bill takes effect upon becoming law.

**C. SECTION DIRECTORY:**

**Section 1.** Creates an unnumbered section of law requiring school districts to adopt policies so that students are not released from school outside the normal dismissal time to persons who are not authorized to retrieve them.

**Section 2.** Creates an unnumbered section of law requiring nonpublic schools and specified child care facilities to adopt policies so that students are not released from school outside the normal dismissal time to persons who are not authorized to retrieve them.

**Section 3.** Provides that this act shall take effect upon becoming law.

**II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT**

**A. FISCAL IMPACT ON STATE GOVERNMENT:**

1. Revenues:

This bill does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

This bill does not appear to have a fiscal impact on state government expenditures.

**B. FISCAL IMPACT ON LOCAL GOVERNMENTS:**

1. Revenues:

This bill does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

This bill does not appear to have a fiscal impact on local government expenditures.

**C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:**

This bill does not appear to have a fiscal impact on the private sector.

**D. FISCAL COMMENTS:**

None.

### III. COMMENTS

#### A. CONSTITUTIONAL ISSUES:

##### 1. Applicability of Municipality/County Mandates Provision:

The bill does not require a municipality or county to spend funds or to take any action requiring the expenditure of funds.

##### 2. Other:

None.

#### B. RULE-MAKING AUTHORITY:

None.

#### C. DRAFTING ISSUES OR OTHER COMMENTS:

School districts, non-public schools, and child care facilities may encounter difficulties with adoption of policies by July 1, 2006. Consideration should be given to amending the bill to allow more time for the affected entities to develop and adopt policies.

The bill states that student retrieval policies are to be adopted to “ensure” children are not released to unauthorized persons. Because no legislatively created policy can ensure a given outcome, consideration should be given to amending the bill to delete the use of this term.

Limiting the term “picture identification” to a valid state driver’s license, a valid state identification card, or a valid United States military identification card may be problematic as some parents or persons authorized to retrieve a child outside the normal dismissal time may not possess any of these types of identification. Citing concerns by districts that serve migrant parents and students, the DOE suggests that the term “picture identification” be broadened to “personal identification” and that acceptable documents would include biometric identification and a valid passport.<sup>4</sup> Consideration should be given to amending the bill to 1.) use the term “personal identification” and 2.) allow local discretion to determine acceptable forms of identification, so that policies address unique circumstances occurring within the populations served.

### IV. AMENDMENTS/COMMITTEE SUBSTITUTE & COMBINED BILL CHANGES

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<sup>4</sup> Florida Department of Education, *2006 Legislative Bill Analysis for HB 163*, October 2005.



House Joint Resolution

A joint resolution proposing an amendment to Section 4 of Article IX of the State Constitution relating to school districts.

Be It Resolved by the Legislature of the State of Florida:

That the following amendment to Section 4 of Article IX of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE IX

EDUCATION

SECTION 4. School districts; school boards.--

(a) Each county shall constitute a school district; provided, two or more contiguous counties, upon vote of the electors of each county pursuant to law, may be combined into one school district; and provided further that a county with 45,000 or more students in the district schools within the county may be divided into two or more school districts, each school district to have no fewer than 20,000 students, as provided by law. In order to divide a county school district under this subsection, and notwithstanding other provisions of this constitution, a commission made up of residents of the county shall be created by special law to draw school district boundary lines, allocate assets, and provide for the contractual obligations, debts, and bonded indebtedness of the school

29 district, all of which shall be subject to review and approval  
 30 by the circuit court for compliance with state and federal law  
 31 and subject to approval by a vote of the electors of the county.  
 32 Funding for operation and capital outlay in school districts  
 33 divided pursuant to this subsection shall be determined on a  
 34 countywide basis and distributed to the school districts per  
 35 student as provided by law, except that funds raised by voted  
 36 millage for bonded indebtedness or local option sales taxes may  
 37 be distributed per interlocal agreement between the school  
 38 districts. Local school taxes in school districts divided  
 39 pursuant to this subsection, including voted millage for bonded  
 40 indebtedness, shall be levied on a countywide basis as provided  
 41 by law.

42 (b) In each school district there shall be a school board  
 43 composed of five or more members chosen by vote of the electors  
 44 in a nonpartisan election for appropriately staggered terms of  
 45 four years, as provided by law.

46 ~~(b)~~ The school board shall operate, control, and supervise  
 47 all free public schools within the school district and determine  
 48 the rate of school district taxes within the limits prescribed  
 49 herein. Two or more school districts may operate and finance  
 50 joint educational programs.

51 BE IT FURTHER RESOLVED that the following statement be  
 52 placed on the ballot:

53 CONSTITUTIONAL AMENDMENT

54 ARTICLE IX, SECTION 4

55 AUTHORIZING THE DIVISION OF A COUNTY INTO TWO OR MORE  
 56 SCHOOL DISTRICTS.--Proposing an amendment to the State

57 Constitution to provide that counties with 45,000 or more  
 58 students may be divided into two or more school districts as  
 59 provided by law; to provide for the creation of a commission, by  
 60 special law, to draw school district boundary lines, allocate  
 61 assets, and provide for the contractual obligations, debts, and  
 62 bonded indebtedness of the school district, all of which shall  
 63 be subject to judicial review and approval and voter approval;  
 64 to provide that, except for voted millage for bonded  
 65 indebtedness or local option sales taxes, school district  
 66 funding shall be determined on a countywide basis and  
 67 distributed as provided by law; and to provide that local school  
 68 taxes, including voted millage for bonded indebtedness, shall be  
 69 levied on a countywide basis as provided by law.





**Nancy Snyder, Ed.D.**  
Superintendent of Schools

### MISSION

*The Duval County Public School System is committed to providing high quality educational opportunities that will inspire all students to acquire and use the knowledge and skills needed to succeed in a culturally diverse and technologically sophisticated world.*

— Adopted February 3, 1998

# Duval County Public Schools

November 2, 2005

The Honorable Ralph Arza  
Chairman  
House Committee on Pre K-12  
Room 203, House Office Building  
402 S. Monroe Street  
Tallahassee, FL 32399-1300

Dear Representative Arza:

We wish to thank you for your willingness to listen to school districts as you proceed through the committee hearing process during the 2006 Legislative Session.

We have been alerted to the filing of a bill that we believe could create a number of unintended consequences for our children as well as for the taxpayers of our district.

House Joint Resolution 213, if passed by the Legislature and, subsequently by the voters, could result in the division of the Duval County School District into as many as six school districts. Each would require an organizational structure that would include its own school board, superintendent, and administration and support staff. The cost of this potentially could be six times our current budget for these areas. This money would be taken from the classroom and from our children.

Under the resolution, all state funding (operations and capital outlay) would be distributed equally on a per student basis. While this has the appearance of equity, the opposite may become the reality. At the present time, Duval has provided an additional \$12 million to our five lowest performing schools. The infusion of funds has been beneficial as all five schools are no longer on the F list. Districts currently have flexibility to move money to schools in the greatest need. An arbitrary division of dollars by student would have precluded this option. The additional dollars required to pay six superintendents and six different school boards as well as staffs would further deplete resources. Thus, by dividing the dollars on a per student basis, the ability to provide weighted assistance to schools in greatest need in Duval would be eliminated.

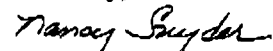
1701 Prudential Drive Jacksonville, FL 32207-8152 Phone: (904) 390-2000  
World Wide Web: <http://www.educationcentral.org> TDD: (904) 390-2898

Page 2  
The Honorable Ralph Arza  
November 2, 2005

We have not addressed other operations issues such as transportation, purchasing, personnel recruitment, insurance and other contract bidding, etc., all of which would suffer under a different economy of scale.

While we are certain the intent of filing this bill is not to hurt poorer neighborhoods, we believe the result could be devastating to the children of our district.

Sincerely,



Nancy Snyder  
Superintendent of Schools  
Duval County Public Schools



Nancy Broner  
Chair  
Duval County School Board

NS:NB:dm

# School Board of Brevard County

2700 Judge Fran Jamieson Way • Viera, FL 32940-6699

Richard A. DiPatri, Ed.D., Superintendent



November 2, 2005

PreK-12 Committee  
Attn: Ms. Katie Allen, Administrative Assistant  
850-414-6875 fax

Re: HJR 213 (Brummer)

Ms. Allen:

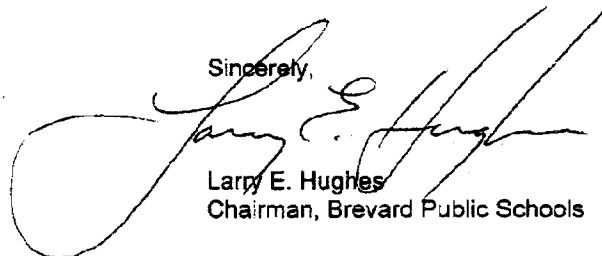
Although I can only speak for myself, and not for the District, I cautiously support the authorization which would divide counties of at least 45,000 students into two or more school districts. The best government is local government and the closer to the people, the greater their control.

As the legislation is considered, I encourage you to provide enabling language addressing the following specific issues:

- Charter County – it must be clear that State law supercedes county law in regard to the formation of school districts.
- Local authority – create new districts by referendum.
- Boundaries – the resulting new school districts must be compact and along clearly defined physical boundaries. Districts must be proportionate in student population.
- Debt – a plan for debt partitioning and allocation or reissuance must be provided. Debt issuances are typically for specific school projects so division and assumption should be possible.
- Contracts – provisions for subjugation of contracts must be made, e.g. construction, beverage, maintenance, local Impact Fees.
- Organized Labor – as new school district entities are created, ratification of any existing representation must be made by the new entities.
- Charter Schools – the authority must transition to the new Board in their geographic location. Charters with multiple schools that may extend into multiple districts must be subdivided.
- Charter District – the newly created districts are eligible to apply for Charter District status.

Please contact me if you need clarification or additional information.

Sincerely,



Larry E. Hughes  
Chairman, Brevard Public Schools

Phone: (321) 631-1911 • FAX: (321) 633-3620

**Allan, Katie**

---

**From:** Imiller@volusia.k12.fl.us on behalf of thuth@volusia.k12.fl.us  
**Sent:** Thursday, November 03, 2005 4:56 PM  
**To:** Allan, Katie  
**Subject:** FW: HJR 213 Affected Districts

Katie,

The request to provide input to the Pre-K committee on HJR 213 by Brummer is as follows:

1. Volusia County School Board has concerns that changes to the State Constitution be limited, and issues with districts larger than 45,000 are identified and addressed through the legislative process.
2. It appears that HJR 213 has multiple issues within the amendment.
  - a. Dividing the district.
  - b. Establishing a commission made up of residents to draw school boundary lines, allocate assets and provide for contractual obligations, debts, etc.
  - c. Create this commission by special law.
  - d. Establishment of funding for operation and capital outlay. The Supreme Court has previously ruled that constitutional amendments must be of a single topic.
3. There is an economy of scale in most districts. Having to replicate transportation departments, facilities, maintenance, curriculum departments, etc., in these newly formed districts could be costly.
4. Concerns would need to be addressed when drawing boundaries relative to racial diversity, socio-economic factors, educational programs (IB, Academies, Magnet Schools, Charter Schools, etc.), tax base, and NCLB requirements.
5. School Board members are elected officials by single member districts. Clarification on election of board members, the length of their tenure in these new districts and their authority would be needed.
6. Contractual relationships with teacher unions, support staff unions and administrators' contracts would need clarification when dividing up a district.

If you need any additional information, please do not hesitate to contact me. Hope this helps.

*Tim Huth*

*Deputy Superintendent*

*Volusia County Schools*

*(386) 734-7190 Ext. 20226*

-----Original Message-----

**From:** Allan, Katie [mailto:Katie.Allan@myfloridahouse.gov]

**Sent:** Tuesday, November 01, 2005 2:35 PM

**To:** dipatrir@brevard.k12.fl.us; hughesla@brevard.k12.fl.us; prestonj@brevard.k12.fl.us; suptt\_till@browardschools.com; stephanie.kraft@browardschools.com; slackg@inffionline.net; bakerra@collier.k12.fl.us; carrolpa@collier.k12.fl.us; vacrawford@msn.com; superintendentoffice@dadeschools.net; fbolanos@dadeschools.net; acarvalho@sbab.dade.k12kfl.us; imendez@sbab.dade.k12.fl.us; fryerj@educationcentral.org; bronern@educationcentral.org; martinmiller@millerconsultinggroup.com; earl.lennard@sdhc.k12.fl.us; candy.olson@sdhc.k12.fl.us; connie.milito@sdhc.k12.fl.us; jimB4@lee.k12.fl.us; elinorcs@lee.k12.fl.us; rcerra@inffionline.net; blocker@ocps.net; sheat@ocps.net; bedford@nettally.com; museb@osceola.k12.fl.us; mckayj@osceola.k12.fl.us; juhan@mixonandassociates.com; beninati@palmbeach.k12.fl.us; boardoffice@palmbeach.k12.fl.us; vacrawford@msn.com; hfiorent@pasco.k12.fl.us; marwhaley@aol.com; brewserbrown@hotmail.com; super@pinellas.k12.fl.us; bostockn@pcsb.org; swartzels@pcsb.org; gail.mckinzie@polk-fl.net; kay.fields@polk-fl.net;

wendy.hosking@polk-fl.net; bill\_vogel@scps.k12.fl.us; jeanne\_morris@scps.k12.fl.us;  
ken\_bovio@scps.k12.fl.us; Smith, Margaret A. (SUPERINTENDENT); Lankford, Candace C. (BRD-  
MBR); Huth, Timothy J. (DEPUTY SUPERINTENDENT)  
**Cc:** Mizereck, Kathy; Beagle.Gavin; Allan, Katie; Cobb, Lynn  
**Subject:** HJR 213 Affected Districts

Superintendents, School Board Chairs, and Legislative Liaisons -

The PreK-12 Education Committee will be workshopping HJR 213 by Brummer which authorizes the division of a county of at least 45,000 students into two or more school districts. This legislation, if passed, could potentially affect your district. The HJR 213 workshop will take place on Tuesday, Nov. 8 from 1:15 to 3:15 in Morris Hall of the House Office Building. If you would like to submit comments in writing, please fax them to me by Friday, November 4, at the fax number below.

Please contact me if you have any questions or if I can be of further assistance. Thank you!

***Katie J. Allan***  
**Administrative Assistant**  
**PreK-12 Committee**  
Phone: (850) 414-6694  
Fax: (850) 414-6875

\*\*\*\*\*

This email and any files transmitted with it are confidential and intended solely for the use of the individual or entity to whom they are addressed. If you have received this email in error, please notify the system manager at administrator@volusia.k12.fl.us

\*\*\*\*\*

**Allan, Katie**

---

**From:** Swartzel Steve [SWARTZELS@pcsb.org]  
**Sent:** Friday, November 04, 2005 9:50 AM  
**To:** Allan, Katie  
**Cc:** Farkas, Frank  
**Subject:** HJR 213 ON the K-12 Committee Agenda on November 8th.

Katie, although the Pinellas County School Board has taken no position on this resolution, we suggest that the processes for implementing this resolution could be clarified. The main question is how does the local "commission" come into existence? How many members are there and who appoints them? Who would write the special law? Thanks for allowing input on this bill. Steve Swartzel, Director of Governmental Services for the school board.

**HOUSE JOINT RESOLUTION 213**  
**PREK-12 EDUCATION COMMITTEE STAFF NOTES**

**Introduction**

House Joint Resolution 213 proposes an amendment to Section 4 of Article IX of the State Constitution, permitting a county with more than 45,000 students to be divided into multiple school districts of no less than 20,000 students. The resolution will be subject to voter approval via a statewide referendum.

In order to divide a county under this provision, the resolution provides that a commission be created by special law to draw school district boundary lines, allocate assets, and provide for the contractual obligations, debts, and bonded indebtedness of the school district. Commission decisions are subject to circuit court review for compliance with state and federal law and voter approval by county referendum.

Funding for operation and capital outlay in school districts divided pursuant to this resolution will be calculated on a county-wide basis and distributed to the school districts on a per student basis as provided by law. However, funds raised by voted millage for bonded indebtedness or local option sales taxes may be distributed per interlocal agreement between the school districts.

**Counties Potentially Affected by HJR 213**

According to a Florida Department of Education estimate of K-12 Unweighted FTE Students for the 2006-2007 school year, there are fifteen school districts large enough to be affected by the resolution. These school districts are Brevard, Broward, Collier, Dade, Duval, Hillsborough, Lee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Seminole, and Volusia.

<b>School District</b>	<b>Student Population based on 2006-2007 Estimated K-12 Unweighted FTE Students</b>	<b>Number of New Districts (FTE Count divided by 20,000)</b>
Miami-Dade County	364,203	18
Broward County	275,934	13
Hillsborough County	197,869	9
Orange County	185,894	9
Palm Beach County	180,803	9
Duval County	129,825	6
Pinellas County	113,001	5
Lee County	80,604	4
Polk County	89,093	4
Brevard County	75,446	3
Pasco County	66,529	3
Seminole County	68,578	3
Volusia County	67,367	3
Collier County	45,631	2
Osceola County	54,497	2

## **Relevant Studies**

**1). Robert Bickel and Craig Howley, *The Influence of Scale on School Performance: A Multi-Level Extension of the Matthew Principle*, Education Policy Analysis Archives, Vol. 8, No. 22 (2000), available at <http://epaa.asu.edu/epaa/v8n22/>.**

### **Abstract**

This study investigates the joint influence of school and district size on school performance among schools with eighth grades and schools with eleventh grades in Georgia. Schools are the unit of analysis in this study because schools are increasingly the unit on which states fix the responsibility to be accountable. The methodology further develops investigations along the line of evidence suggesting that the influence of size is contingent on socioeconomic status (SES). All previous studies have used a single-level regression model (i.e., schools or districts). This study confronts the issue of cross-level interaction of SES and size of schools and school districts with a single-equation-relative-effects model to interpret the joint influence of school and district size on school performance. It also tests the equity of school-level outcomes jointly by school and district size. Georgia was chosen for study because previous single-level analysis there had revealed no influence of district size on performance, as measured at the district level. Findings from this study show substantial cross-level influences of school and district size at the 8th grade, and weaker influences at the 11th grade. The equity effects, however, are strong at both grade levels and show a distinctive pattern of size interactions. Results are interpreted to draw implications for a "structuralist" view of school and district restructuring, with particular concern for schooling to serve impoverished communities. The authors argue the importance of a notion of "scaling" in the system of schooling, advocating the particular need to create smaller districts as well as smaller schools as a route to both school excellence and equity of school outcomes.

**2). Noah E. Friedkin & Juan Necochea, *School System Size and Performance: A Contingency Perspective*, Educational Evaluation and Policy Analysis, Vol. 10, No. 3, 1988 at 237-249.**

### **Abstract**

This paper concludes empirical support for a new theory on the relationship between the size and performance of school systems. The theory predicts that the strength and direction of the relationship depend on the socioeconomic status (SES) of school systems. This prediction is supported with data from the California Assessment Program on both schools and districts. We find that as the SES of a school system goes up, the association between the size and performance of school systems goes from negative to positive. We also find that the negative association among low SES school systems is much stronger in magnitude than the positive association among high SES school systems. Thus, it appears that school system size has strong negative effects on performance that are eliminated, but not strongly reversed, in high SES settings.

**3). Jay P. Greene, Ph.D. & Marcus A. Winters, *The Effect of Residential School Choice on Public High School Graduation Rates*, Education Working Paper No. 9, Manhattan Institute for Policy Research, (2005), available at [http://www.manhattan-institute.org/html/ewp\\_09.htm](http://www.manhattan-institute.org/html/ewp_09.htm).**



## **Executive Summary**

This study evaluates the effect that the size of a state's school districts has on public high school graduation rates. The authors calculate the graduation rate over the last decade and examine the relationship between these graduation rates and changes in each state's average school district size.

The study finds that decreasing the size of school districts has a substantial and statistically significant positive effect on graduation rates. Conversely, consolidation of school districts into larger units leads to more students dropping out of high school. The results of the analysis indicate that decreasing the average size of a state's school districts by 200 square miles leads to an increase of about 1.7 percentage points in its graduation rate. This finding is particularly important for states with very large school districts. For example, if Florida decreased the size of its school districts to the national median, it would increase its graduation rate from 59% to 64%.

Decreasing the size of school districts could improve educational outputs, including graduation rates, because it would increase the choice that parents have in the school system that educates their child. By making it easier to relocate from one school system's jurisdiction to the next, smaller school districts make it possible for a larger number of families to exercise choice among different school districts. The more families are able to move from district to district, the less students can be taken for granted by schools, which, for a variety of reasons, don't want to lose enrollment. This study provides empirical evidence that increasing the choice parents have in their child's school district contributes to higher public high school graduation rates.

**4). Jane Hannaway and Kristi Kimball, *Big Isn't Always Bad: School District Size, Poverty, and Standards-Based Reform*, Planning and Evaluation Service, U. S. Department of Education. The Urban Institute. (1998), available at [http://www.urban.org/UploadedPDF/409770\\_district.pdf](http://www.urban.org/UploadedPDF/409770_district.pdf).**

### **Abstract**

This paper reports results of the first systematic analysis of the progress of standards-based reform in U.S. school districts. Using data from a recent national survey of school districts and a companion national survey of schools, we find that not only do districts appear to play an important role, bigger districts appear to be particularly successful in promoting reform. Those who see reform as an exclusively state-school process may miss key ingredients for success. It is also a mistake to assume that large districts are not responsive. The benefits of larger size, however, appear to be moderated in high-poverty districts.

**5). R. S. Jewell, *School and School District Size Relationships: Costs, Results, Minorities, and Private School Enrollments*, Education and Urban Society 21/2, Feb. 1989, at 140-153.**

### **Abstract**

This study discusses data on the following topics: (1) average school district size; (2) proportion of students in very large districts; (3) average school size; (4) minority enrollments and measurements of size; (5) enrollment sizes and college entrance exams, high school graduation rates, and educational costs; and (6) measurements of size and private school enrollments.

The major findings of this study are as follows:

- The sheer size of public school enrollments in the 50 states and the District of Columbia is not strongly related to matters of educational importance. Large enrollment states have slightly higher levels of income but spend slightly lower proportions of that income for public education. Large enrollment states have slightly higher proportions of minority students, slightly lower graduation rates, slightly higher teacher salaries, and slightly less favorable pupil/teacher ratios.
- Minority public schools in the United States are concentrated in states that have large school districts and school districts that have large schools.
- Students in states with smaller districts and smaller schools have higher SAT and ACT scores. Sizes of schools and districts, however, do not appear to be significant after controlling for the effects of state poverty levels on college entrance examination scores.
- State with smaller average size schools and lower proportions of students in large districts have higher graduation rates than states with larger schools and higher percentages of students in large districts. This holds true even after controlling for the negative effect of minority enrollment proportions on graduation rates.
- Per-pupil expenditure averages for the 51 systems have no significant statistical relationship with the state enrollment sizes, average school districts sizes, proportions of students in large districts, or average school sizes.
- States with larger districts and larger schools have higher teacher's salaries and less favorable pupil/teacher ratios than states with smaller districts and smaller schools.
- The magnitude of Catholic school enrollments is not significantly related to any of the four size variables of this study. The magnitude of non-Catholic private school enrollments, although unrelated to system size, has strong positive relationships with district size and school size—the larger the districts and schools, the higher proportions of non-Catholic private school enrollments among states.

**6). U.S. Department of Education, National Center for Education Statistics, *Characteristics of the 100 Largest Public Elementary and Secondary School Districts in the United States: 2000-2001*, NCES 2002-351, by Beth Aronstamm Young, available at <http://nces.ed.gov/pubs2002/2002351.pdf>.**

#### **Abstract**

This publication provides basic descriptive information about the 100 largest school districts (ranked by student membership) in the United States. Almost one in every four public-school students in this nation is served by one of these 100 districts. They are distinguished from the average school district by characteristics in addition to sheer size of membership, such as average and median school size, pupil/teacher ratios, number of high school graduates, number of pupils receiving special-education services, and minority enrollment as a proportion of total enrollment.

- The 100 largest public school districts, representing less than 1 percent (0.6 percent) of all school districts in the United States and jurisdictions, were responsible for the education of 23 percent of all public school students.

- The 100 largest public school districts employed 21 percent of the United States and jurisdictions' public school teachers, and accounted for 16 percent of all public schools and 19 percent of public high school completers.
- The 100 largest school districts had larger school sizes than the average school district (708 students compared to 504). In addition to larger school sizes, the 100 largest school districts also had a higher mean pupil/teacher ratio, 17 to 1 compared to 16 to 1 for the average school district.
- Three states, Florida, Texas, and California, accounted for 40 percent of the 100 largest school districts.
- The proportion of students who were minorities in the 100 largest school districts was 69 percent, compared to 40 percent in all school districts.
- Among schools that reported free and reduced-price lunch eligibility, 53 percent of the students in the 100 largest school districts were eligible for free and reduced-price lunch, compared to 39 percent of all students in reporting states.
- While the numbers of students, teachers, and schools increased between 1990–91 and 2000–01, the proportion of students, full-time equivalent teachers and schools in the 100 largest school districts compared to the United States and jurisdictions has remained essentially unchanged.

2006-07 FLORIDA EDUCATION FINANCE PROGRAM  
Comparison of Unweighted FTE

Estimated K-12 Unweighted FTE Students

District	2005-06	2006-07	Difference	Percentage Difference
	-1-	-2-	-3-	-4-
1 Alachua	28,118.11	27,980.76	(137.35)	-0.49%
2 Baker	4,748.71	4,857.95	109.24	2.30%
3 Bay	26,830.02	27,220.47	390.45	1.46%
4 Bradford	3,621.06	3,583.62	(37.44)	-1.03%
5 Brevard	74,449.46	75,446.53	997.07	1.34%
6 Broward	271,867.18	275,934.28	4,067.10	1.50%
7 Calhoun	2,320.91	2,381.92	61.01	2.63%
8 Charlotte	17,328.73	17,645.49	316.76	1.83%
9 Citrus	15,622.83	15,686.19	63.36	0.41%
10 Clay	33,500.00	34,621.76	1,121.76	3.35%
11 Collier	43,654.18	45,631.87	1,977.69	4.53%
12 Columbia	9,956.38	10,057.31	100.93	1.01%
13 Miami-Dade	362,824.84	364,203.87	1,379.03	0.38%
14 DeSoto	5,151.00	5,193.82	42.82	0.83%
15 Dixie	2,070.46	2,088.27	(2.19)	-0.11%
16 Duval	129,397.64	129,825.98	428.34	0.33%
17 Escambia	43,177.58	43,133.82	(43.76)	-0.10%
18 Flagler	11,070.51	12,747.22	1,676.71	15.15%
19 Franklin	1,298.68	1,276.16	(22.52)	-1.73%
20 Gadsden	5,957.63	5,862.96	(94.67)	-1.59%
21 Gilchrist	2,778.98	2,837.13	58.15	2.09%
22 Glades	1,308.93	1,295.82	(13.11)	-1.00%
23 Gulf	2,109.07	2,077.69	(31.38)	-1.49%
24 Hamilton	1,904.37	1,884.76	(19.61)	-1.03%
25 Hardee	5,120.59	5,206.17	85.58	1.67%
26 Hendry	7,640.81	7,703.56	62.75	0.82%
27 Hernando	21,908.76	23,505.25	1,596.49	7.29%
28 Highlands	12,133.63	12,324.22	190.59	1.57%
29 Hillsborough	192,506.21	197,869.98	5,363.77	2.79%
30 Holmes	3,222.79	3,189.94	(32.85)	-1.02%
31 Indian River	17,160.99	17,564.61	403.62	2.35%
32 Jackson	7,030.40	6,966.97	(63.43)	-0.90%
33 Jefferson	1,265.61	1,196.16	(69.45)	-5.49%
34 Lafayette	1,040.43	1,063.63	23.20	2.23%
35 Lake	37,866.84	40,305.20	2,438.36	6.44%
36 Lee	75,554.91	80,604.43	5,049.52	6.68%
37 Leon	32,119.47	32,369.55	250.08	0.78%
38 Levy	6,231.84	6,319.14	87.30	1.40%
39 Liberty	1,392.08	1,445.87	53.79	3.86%
40 Madison	3,024.60	2,933.43	(91.17)	-3.01%
41 Manatee	42,133.31	43,000.16	866.85	2.06%
42 Marion	41,562.83	42,628.14	1,065.31	2.56%
43 Martin	18,305.67	18,839.75	534.08	2.92%
44 Monroe	8,453.42	8,378.56	(74.86)	-0.89%
45 Nassau	10,712.16	10,870.53	158.37	1.48%
46 Okaloosa	31,075.34	31,417.05	341.71	1.10%
47 Okeechobee	7,481.49	7,771.63	290.14	3.88%
48 Orange	178,619.97	185,894.49	7,274.52	4.07%
49 Osceola	50,638.35	54,497.34	3,858.99	7.62%
50 Palm Beach	178,863.50	180,803.34	2,139.84	1.20%
51 Pasco	63,128.98	66,529.06	3,400.08	5.39%
52 Pinellas	112,718.20	113,001.19	282.99	0.25%
53 Polk	87,436.71	89,093.93	1,657.22	1.90%
54 Putnam	11,919.49	11,826.34	(93.15)	-0.78%
55 St. Johns	25,435.82	26,777.07	1,341.25	5.27%
56 St. Lucie	37,025.84	38,416.47	1,390.63	3.76%
57 Santa Rosa	25,004.98	25,428.78	423.80	1.69%
58 Sarasota	42,810.77	44,413.78	1,603.01	3.74%
59 Seminole	67,434.42	68,578.22	1,143.80	1.70%
60 Sumter	7,188.49	7,275.62	87.13	1.21%
61 Suwannee	5,555.00	5,490.59	(64.41)	-1.16%
62 Taylor	3,139.76	3,117.93	(21.83)	-0.70%
63 Union	2,186.87	2,183.64	(3.23)	-0.15%
64 Volusia	66,254.48	67,367.36	1,112.88	1.68%
65 Wakulla	4,797.40	4,927.76	130.36	2.72%
66 Walton	6,417.91	6,464.90	46.99	0.73%
67 Washington	3,482.40	3,482.59	0.19	0.01%
68 Washington Special	551.69	551.69	0.00	0.00%
69 FAMU Lab	532.00	532.00	0.00	0.00%
70 FAU Lab	773.00	773.00	0.00	0.00%
71 FSU Lab - Broward	813.31	813.31	0.00	0.00%
72 FSU Lab - Leon	1,631.99	1,631.99	0.00	0.00%
73 UF Lab	1,149.00	1,149.00	0.00	0.00%
74 Florida Virtual School	3,746.32	3,746.32	0.00	0.00%
<b>Total</b>	<b>2,675,068.09</b>	<b>2,731,697.29</b>	<b>56,629.20</b>	<b>2.12%</b>



# **PreK - 12 Education Committee**

## **Addendum A**

### **Meeting**

**Tuesday, November 8, 2005**

**1:15 — 3:15 p.m.**

**Morris Hall**

Allan G. Bense  
Speaker

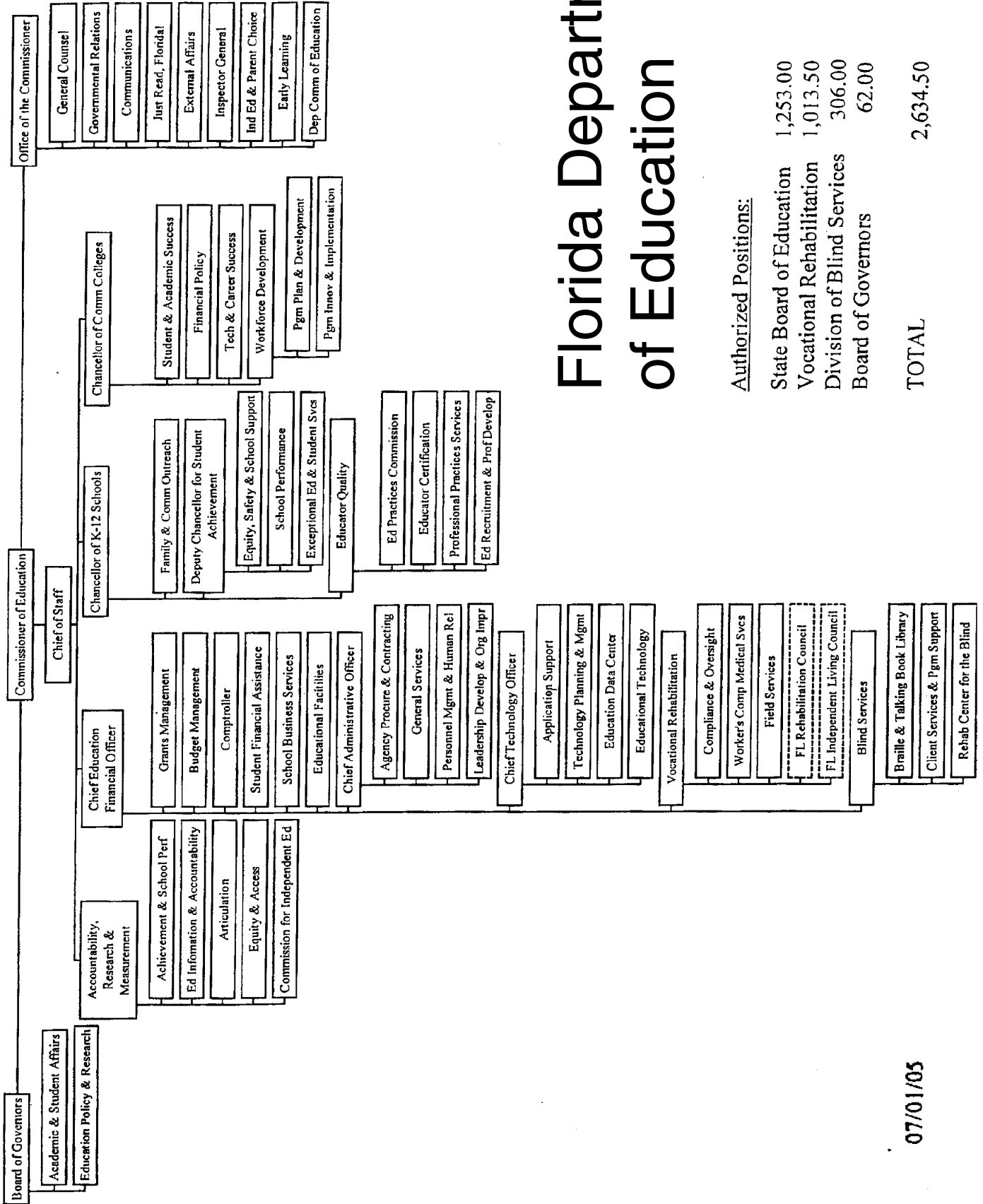
Ralph Arza  
Committee Chair

# Florida Department of Education

State Board of Education Structure



PreK-12 Committee  
The Honorable Rafael Arza, Chair  
November 8, 2005



# Florida Department of Education

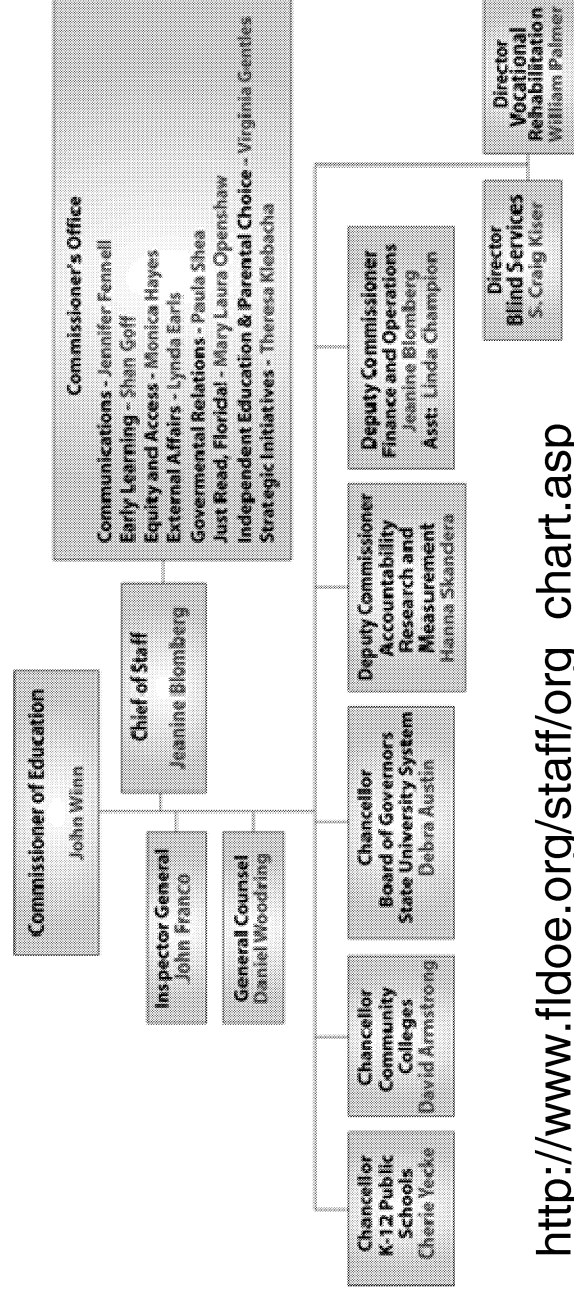
## Authorized Positions:

State Board of Education	1,253.00
Vocational Rehabilitation	1,013.50
Division of Blind Services	306.00
Board of Governors	62.00
<b>TOTAL</b>	<b>2,634.50</b>

07/01/05

# Florida Department of Education

Organizational Chart as Presented on FLDOE website 11/3/2005:



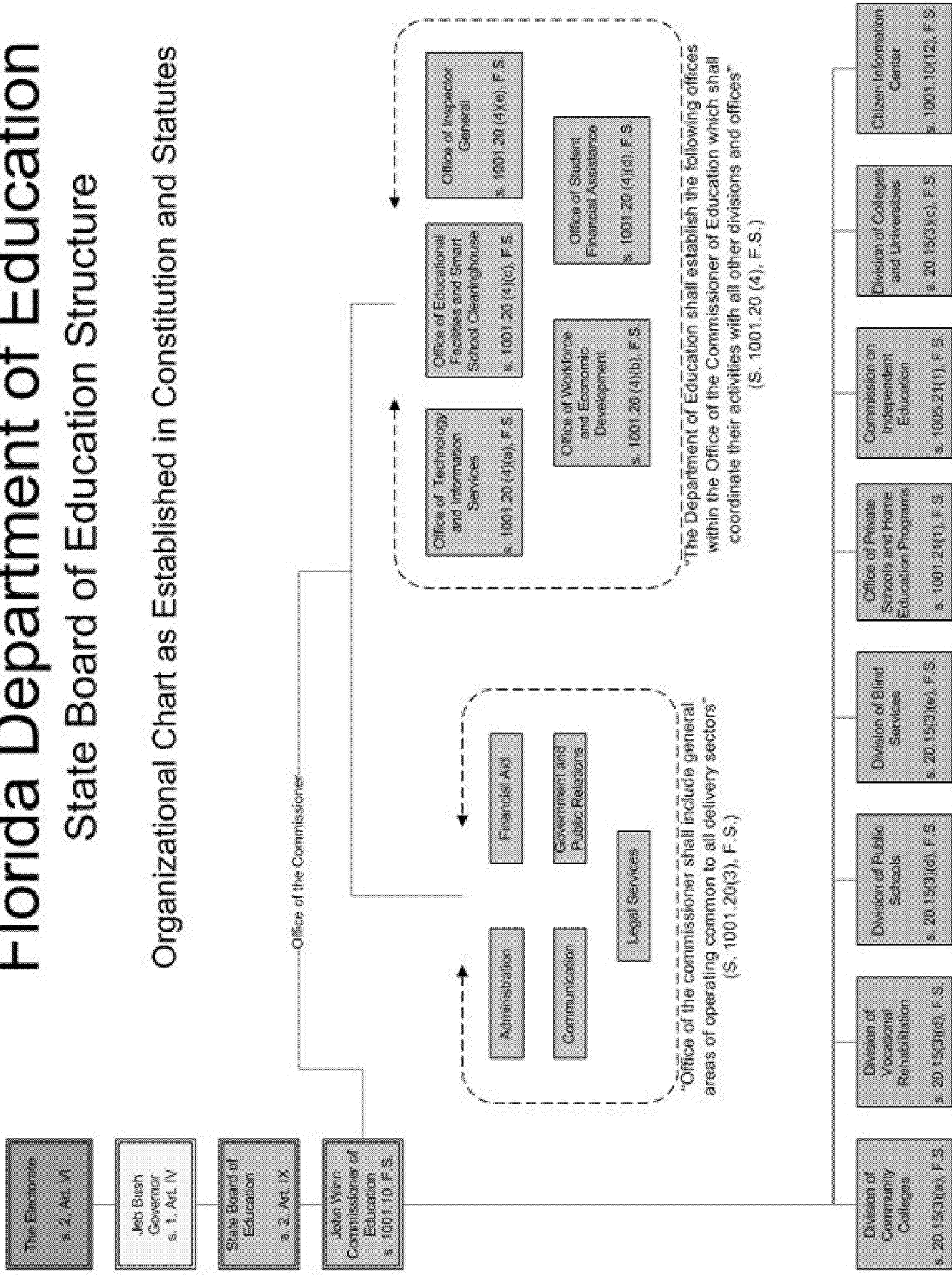
[http://www.fldoe.org/staff/org\\_chart.asp](http://www.fldoe.org/staff/org_chart.asp)



# Florida Department of Education

## State Board of Education Structure

### Organizational Chart as Established in Constitution and Statutes

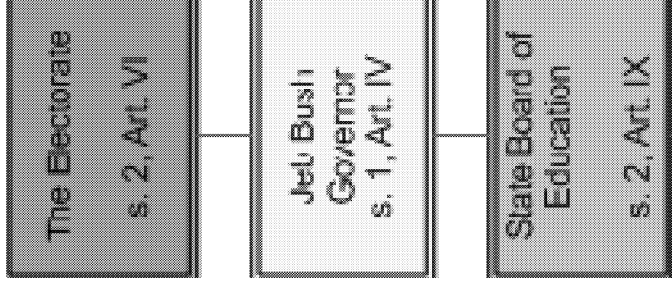


# The State Board of Education

- “The State Board of Education shall be a body corporate and have such supervision of the system of free public education as is provided by law.”

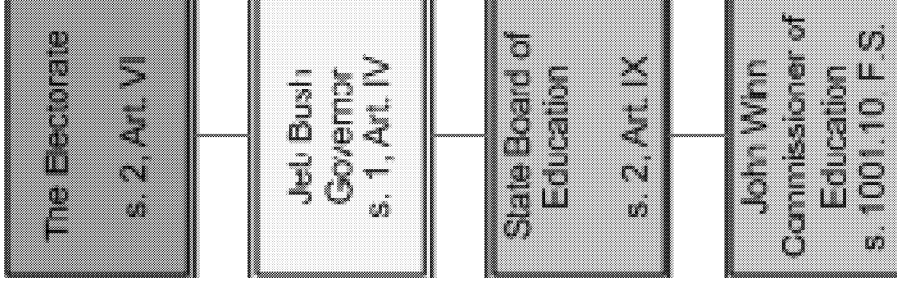
[s. 2, Art. IX]

- Appointed by and accountable to the Governor



# Commissioner of Education

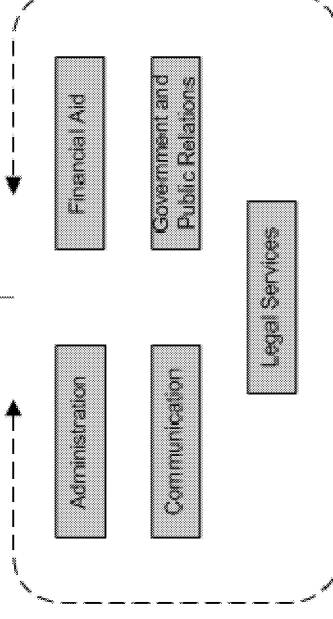
- “The state board of education shall appoint the Commissioner of Education.”  
[s. 2, Art. IX]
- The state board of education shall appoint the commissioner of education.



# Office of the Commissioner

“The Department of Education shall maintain an Office of the Commissioner of Education that includes the general areas of operation that are common to all delivery sectors, such as administration, communication, legal services, financial aid, and government and public relations, in order to increase efficiency, improve service delivery to students, and fully support the operational needs of the State Board of Education.”

[s. 1001.20 (3), F.S.]

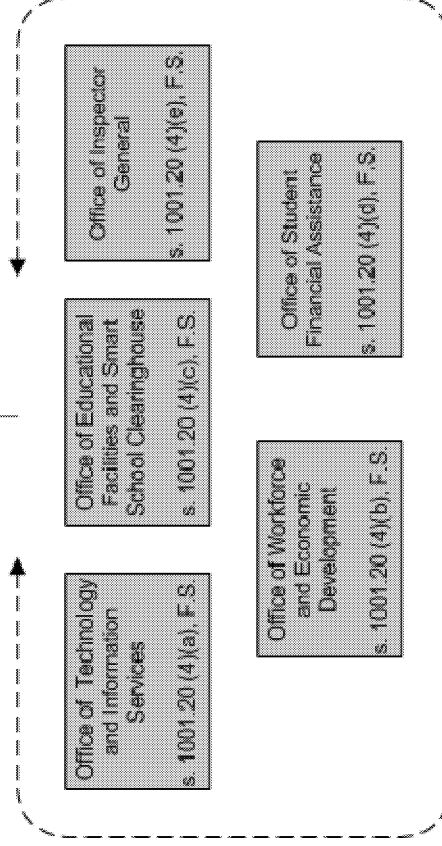


“Office of the commissioner shall include general areas of operating common to all delivery sectors”  
(S. 1001.20(3), F.S.)

# Office of the Commissioner

“The Department of Education shall establish the following offices within the Office of the Commissioner of Education which shall coordinate their activities with all other divisions and offices:”

[s. 1001.20 (3), F.S.]



The Department of Education shall establish the following offices within the Office of the Commissioner of Education which shall coordinate their activities with all other divisions and offices”  
(S. 1001.20 (4), F.S.)

# *Office of Technology and Information Services*

- Responsible for:
  - Developing a system wide technology plan
  - Making budget recommendations to the commissioner
  - Providing data collection and management services
  - Coordinating services with other state, local, and private agencies.
  - Developing a statewide K-20 education system library information portal and a unified higher education library management system.
  - The administration of the Florida Virtual School.

[s. 1001.20 (3)(a), F.S.]

# *Office of Workforce and Economic Development*

- Responsible for:
  - Evaluating the role of each sector of education in Florida's workforce and economic development
  - Assessing the specific work skills and variety of careers provided
  - Reporting to the State Board of Education the effectiveness of each sector.

[s. 1001.20 (3)(b), F.S.]

# *Office of Educational Facilities and SMART Schools Clearinghouse*

- Responsible for:
  - Validating all educational plant surveys
  - Verifying Florida Inventory of School Houses (FISH) data
  - Providing technical assistance to public school districts when requested.

[s. 1001.20 (3)(c), F.S.]



# *Office of Student Financial Assistance*

- Responsible for providing access to and administering:
  - State and federal grants
  - Scholarships
  - Loans to those students seeking financial assistance for postsecondary study pursuant to program criteria and eligibility requirements.

[s. 1001.20 (3)(d), F.S.]

# *Office of Inspector General*

- Responsible for:
  - Promoting accountability, efficiency, and effectiveness.
  - Addressing substantiated allegations of waste, fraud, or financial mismanagement.
- The office shall have access to all information and personnel necessary to perform its duties and shall have all of its current powers, duties, and responsibilities authorized in s. 20.055, F.S.

[s. 1001.20 (3)(e), F.S.]