

HOUSE BILL 7069: WHAT'S IN IT, WHAT IT MEANS FOR PUBLIC EDUCATION, WHAT YOU CAN DO ABOUT IT

WHAT IS HB 7069?

HB 7069, the most important education bill to be passed during the 2017 Florida Legislative Session, was a bill that combined common-sense measures with others that will radically transform public education in Florida. It was highly controversial not only due to its content, but also as a result of the way it was drafted and presented both to legislators and the general public. Although it was the subject of a statewide veto campaign, including by Florida PTA, Governor Scott nevertheless signed the bill on June 15, 2017. It now exists as Chapter No. 2017-116, Laws of Florida.

A FLAWED PROCESS:

HB 7069 originated in the House Education Committee as a 6-page proposed committee bill regarding the “Best and Brightest Teachers and Principals” program. Once the bill reached the Senate, an amendment by Appropriations Committee Chair Latvala stripped the bill of all content. The empty bill was adopted by a 35-0 Senate vote and referred to a joint House-Senate Appropriations Conference Committee.

This is where the mischief began. What emerged from the Conference Committee was vastly different than the original 6-page proposal about the “Best and Brightest” program. Instead, HB 7069 ballooned to a 278-page package of up to 55 other education bills addressing a wide variety of topics, some of which had been passed individually by the House or the Senate, but others of which had received little discussion, and one bill that actually died in a Senate committee. Included in this package was the controversial “Schools of Hope” proposal that would allow out-of-state charter school organizations with no track record in Florida to establish new schools within a 5 mile radius of consistently low-performing district schools and to operate such schools beyond the control of locally-elected school boards and zoning authorities. Also included was a mandate for school districts to share local tax revenues with charter schools for facilities construction, renovation, and repair, whether or not they could spare the funds.

Until the very last minute, when the bill was presented as a “done deal” approved by legislative leadership, neither the vast majority of legislators sitting on the Conference Committee nor the public at large had input into or even access to the vastly expanded text of the bill. Nonetheless, it was placed, in an unamendable, take-it-or-leave-it, form before the full membership of the House and the Senate on the final day of the extended 2017 Legislative Session. The House passed it by a 73-36 largely party-line vote; the Senate passed it, after heated debate about the bill’s form and the process by which it was assembled, by a slim 20-18 margin. Some of the “Yes” votes were from senators who, according to news reports, had been assured that the Governor would veto the bill. Included among the “No” votes was the bill’s sponsor, Senator Simmons, who had urged his colleagues to vote their conscience. Two other Republicans joined him in opposition to HB 7069.

THE SWEETENERS:

In final form HB 7069 included a number of measures that were meant to insure its passage, garner public support in the face of a possible gubernatorial veto, and potentially serve as fodder in 2018 election campaigns. Among those proposals supported directly by Florida PTA were the following:

- 5 day-a-week recess for K-5 students
- paper-based state standardized examinations for elementary school students
- publication of previous state standardized examination questions for public review
- elimination of the Algebra 2 end of course examination
- study of the SAT and the ACT as potential replacements for state standardized examinations at the high school level
- increased clarity in the report to parents regarding their child’s performance on state standardized examinations
- study to improve procedures for evaluating the effectiveness of Pre-Kindergarten programs
- elimination of the state-determined model of measuring student learning gains for teacher evaluation purposes
- designation as “excused” those absences necessary to undertake autism-related medical treatments

THE POISON PILL:

HB 7069 likewise included several controversial measures that Florida PTA opposed, as follows:

- a mandate that school districts share capital outlay tax revenues with charter schools, thereby diminishing the funds available to replace, renovate, and repair traditional public schools
- a limit of 25 on the number of traditional public schools eligible for Schools of Hope wrap-around funding
- transfer of a portion of Title I funds away from schools with the greatest percentage of vulnerable students
- establishment of a cap on the percentage of Title I funds that may be used for parental engagement
- elimination of school improvement plans for schools graded A-C, thereby limiting the scope of School Advisory Committees, which give parents a role in school governance
- elimination of a DOE report comparing student performance at charter schools with that of students at traditional public schools, as well as the requirement that each charter school make this information public
- exclusion of charter schools from the mandatory recess requirement in elementary schools

NEXT YEAR'S IMPACT ON DISTRICTS MOST AFFECTED BY THE CAPITAL OUTLAY SHARING REQUIREMENT:

Florida has 4200 K-12 public schools, of which 650 are charter schools managed by private (profit or non-profit) entities. With respect to enrollment, there are 270,000 children in charter schools, compared to 2.5 million in traditional public schools. In 2017-2018 public and charter schools will equally share \$100 million in state dollars for capital needs through the PECO (Public Education Capital Outlay) fund. **Charters will receive \$185.19 per student, traditional public schools, \$20.00 per student. In addition, school districts will now also be required to share up to \$96 million in locally-raised tax revenues that would have otherwise gone to district school construction and maintenance projects based on approved five-year capital facilities plans. Those districts most affected by the forced revenue transfer are**

1. **Sumter County:** \$4.6 million of \$13.8 million available, 33.4 percent
2. **Franklin County:** \$435,800 of \$1.8 million available, 21.4 percent
3. **Sarasota County:** \$8.9 million of \$65.6 million available, 13.5 percent
4. **Miami-Dade County:** \$23.2 million of \$196 million available, 11.9%
5. **Monroe County:** \$1.1 million of \$9.8 million available, \$10.4 percent
6. **Glades County:** \$92,100 of \$885,000 available, 10.4 percent
7. **Lee County:** \$7.3 million of 71.2 million available, 10.2 percent
8. **Broward County:** \$12 million of 120.4 million available, 10 percent
9. **Indian River County:** \$1.3 million of \$13.5 million available, 9.8 percent
10. **Madison County:** \$98,900 of \$1 million available, 9.5 percent

Source: Florida House through the *Miami Herald*, June 30, 2017 article

HOW FLORIDA PTA PROPOSES TO AMEND THE NEW LAW:

Florida PTA will be working with legislators this summer, next fall during Committee Weeks, and during the 2018 Florida Legislative Session, which runs from January 9 to March 9, to

- Guarantee that each and every school has access to the capital funds for which it can demonstrate true need
- Enhance fiscal and academic accountability for all education providers authorized by the state of Florida
- Encourage further rollbacks of state standardized testing
- Restore funding for parental involvement activities
- Reinforce the role of parents and community members in local school governance
- Guarantee free-play recess for every charter school K-5 student
- Enhance informed parental choice by increasing transparency regarding student performance in all educational settings
- Restore the authority of locally-elected school boards

HOW YOU, YOUR LOCAL UNIT, AND YOUR FAMILY, FRIENDS, AND NEIGHBORS CAN HELP:

- Get to know your legislators personally, follow them on social media, and keep in touch; you have more influence if your name and face are familiar.
- Sign up for **Voter Voice** on the Florida PTA website, and respond to alerts. Follow us on **Twitter at @FLPTA Leg.**
- Budget for and attend the 2018 Florida PTA Legislative Conference in January.