

Dr. Lawrence S. Feldman, Vice Chair

**SUBJECT: PROPOSED 2013 LEGISLATIVE PROGRAM OF THE  
GREATER FLORIDA CONSORTIUM OF SCHOOL BOARDS**

**COMMITTEE: INNOVATION, EFFICIENCY & GOVERNMENTAL  
RELATIONS**

**LINK TO STRATEGIC  
FRAMEWORK: STUDENT, PARENT, AND COMMUNITY ENGAGEMENT**

The Greater Florida Consortium of School Boards is a coalition of eleven school boards that have joined to assist each other in advancing educational issues of mutual concern. The member districts include: Broward, Charlotte, Collier, Indian River, Lee, Miami-Dade, Monroe, Palm Beach, Pinellas, Sarasota, and St. Lucie counties.

In developing the Consortium's legislative platform, member districts submitted legislative proposals for consideration and inclusion in its 2013 legislative platform. On September 28-29, 2012, representatives of the Consortium met in Miami, Florida to finalize the draft of their proposed 2013 Legislative Program. The draft program includes only those items which were approved by the school board representatives in attendance. Further, it adheres to the Consortium's policy of including only a select number of issues in order to ensure maximum cohesiveness in programmatic priorities and concentration of Consortium resources.

All eleven Consortium school boards are being asked to review the draft program and to take official action on it. Each issue must be supported by all Consortium members before inclusion in the final adopted program; only the issues that receive unanimous support will be included in the Consortium's legislative program. If a member district votes to remove an issue from the proposed program, the issue is removed from the program. The 2013 legislative session is scheduled to begin on March 5, 2013. Member boards must review and adopt the Consortium's legislative program by the end of November. Once all member boards have officially adopted the 2013 Legislative Program, the Consortium will print and distribute the document to the Governor, State Cabinet, all legislators, and interested citizen groups.

**ACTION PROPOSED BY VICE CHAIR  
DR. LAWRENCE S. FELDMAN:**

That The School Board of Miami-Dade County, Florida adopt the proposed draft 2013 Legislative Program.

**GREATER FLORIDA CONSORTIUM  
OF  
SCHOOL BOARDS'  
2013 LEGISLATIVE PROGRAM**

Constitution of the State of Florida, Article IX - - Section I.

“The education of children is a fundamental value of the people of the State of Florida. It is therefore a paramount duty of the State to make adequate provision for the education of all the children residing within its borders. Adequate provision shall be made by law for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education....”

**GOAL: TO INCREASE, ON A PHASED-IN BASIS, THE AVERAGE PER STUDENT FUNDING TO ENSURE THAT FLORIDA IS IN THE TOP HALF OF THE STATES AND CAN PROVIDE A WORLD CLASS EDUCATION TO ENABLE ITS STUDENTS TO COMPETE AND EXCEL IN THE GLOBAL MARKET PLACE.**

**PRIORITY ISSUES**

**FUNDING**

In order to accomplish this goal:

Allocate sufficient state dollars with flexibility to enable school districts (traditional public schools) to support: guaranteed continuation budgets that provide for enrollment changes, inflationary increases, competitive salaries and benefits for teachers and other personnel, and quality program improvements including those mandated by SB 736. **Use state revenue to provide for this continuation budget as opposed to the state using increases in local property tax revenues as the source of additional funds.**

- Conduct an impartial third-party study of the Florida Price Level Index to reflect the costs of housing, insurance, poverty, and transportation, rather than wages.
- Guarantee, at least, the same dollars per FTE in total potential funds appropriated for FY 2006-07 increased by \$100 and adjusted for the three-year average of inflation and reject any expenditure caps.
- Provide state funding for any increased costs to the employer's contribution to the Florida Retirement System.
- Develop a state plan to reinvest a specific percentage of state growth revenue in the FEFP.

- Continue to authorize co-enrollment funding for high school students taking adult education courses who need credits for graduation or improved grade point average.
- Increase funding for Safe Schools, Transportation, Instructional Materials, and Supplemental Academic Instruction to accommodate higher enrollment and higher costs, and maintain these programs as categoricals with maximum flexibility.
- Uphold the 90 percent rule in the FEFP and fund state mandates for Transportation and Instructional Materials entirely from state revenue and do not include this funding when calculating the 90 percent rule.
- Restore the program weights for Exceptional Student Education (ESE), English-for-Speakers-of-Other-Languages (ESOL), and all secondary (middle and high school) career education programs to pre-2001 levels.

### **Stable Funding for Public Education**

Identify alternative revenue sources, including efforts to enforce the existing state sales tax on all internet sales made in Florida and study a phase-out of exemptions on non-essential goods.

### **Local Discretionary Millage (LDM)**

- Oppose further equalization of the LDM until the basic education program is funded to the 2006-07 level adjusted for the three-year average of inflation.
- Extend the voter-approved operating millage authority from four (4) years to ten (10) years and allow for voter approval of the half-cent sales tax for operational as well as capital construction purposes.

### **Funding**

- Reinstate the funding for 251, 252, 253, and gifted students on a per student basis.
- Hold funding in abeyance for the School Recognition Program.
- Reject any new funded or unfunded mandates or new programs.
- Public school funding should follow the student when the student's educational enrollment location changes between a non-traditional school and a traditional public school.
- Restore pre-kindergarten funding to the FY 2010 level to eliminate waiting lists and recognize space requirements in state facilities specifications (SREF).
- Preserve Advanced Placement and International Baccalaureate Programs and other advanced academic programs by restoring funding to the 2006-2007 levels (.24 factor).

- Return the rate of local tax roll collections from 96 percent to 95 percent for FEFP calculation purposes.
- Complete the three-year commitment to adjust the performance-based funding formula for Post-secondary Vocational and Adult Basic Education Programs so that the inequity of overfunding some districts at the expense of others is discontinued.
- Provide flexibility to determine the most appropriate model to offer extended instruction in reading and math to low-achieving students.
- Provide state funding to support all technology and digital requirements that the legislature has mandated districts must meet by 2015 or delay that deadline.
- Provide adequate funds within the FEFP for additional pupil personnel services, such as guidance counselors and school psychologists.

### **HURRICANE/DISASTER RELIEF**

Establish permanent statutory authority to assist school districts with hurricane damage without negatively affecting resources for other districts, including:

- providing an avenue for school boards to seek necessary waivers of state law for up to a year, such as shortening the school year, in order to resolve some of the immediate impact of hurricane damage; and,
- funding all operational costs associated with shelter operations.

### **CLASS SIZE**

- Fully fund the class size constitutional mandate and distribute all funds on a per student basis and eliminate all monetary penalties.
- Give traditional public schools the same exemptions provided charter schools and allow implementation on the “classroom average” instead of the class-by-class cap.

### **GOVERNANCE**

#### **Voucher Programs**

Oppose any further expansion of the Florida Tax Credit and John McKay Scholarship Programs and require the same accountability for students attending these programs as is required for students attending traditional public schools.

### **Charter Schools**

- Provide traditional schools the same laws, rules, and regulations as charter schools.
- Allow school boards to serve as the Board of Directors to establish their own charter schools within each district.
- Maintain school boards' authority regarding the disposition of local capital outlay funds and impact fees and authorize school boards to collect administrative fees for all students served by the charter school.

### **School Board Structure**

Oppose any provisions impacting the school board's governance without local school board and community input.

### **Waiver of Statutes**

Provide the authority for the governor or the commissioner of education to waive statutes, except for those dealing with life safety issues, upon request of the school board, for up to three years.

### **Legislative Session Dates**

Place a constitutional amendment on the 2014 ballot for the legislature to convene annually in January to allow adequate time budget development and new legislative initiatives.

### **Articulation Programs and Agreements**

- Allow local or regional determination in the operation of post-secondary and adult education articulation programs and dual delivery systems.
- Provide for statewide articulation agreements for school districts, community and state colleges and universities so that dual enrollment credit will transfer to and among all state higher education institutions.

### **School Board Calendar**

Abolish the portion of Florida Statute that requires the first day of school to be no more than 14 days before Labor Day of each year and allow each district the authority to set its own start date.

### **Pay for Performance/Teacher Evaluation Systems**

Provide the authority for school boards to design local evaluation and performance systems rather than impose a one size fits all mandate.

## **Constitutional Authority and Home Rule**

Preserve school board constitutional and home rule authority and the remuneration of school board members.

## **Workforce Development**

Maintain the dual education delivery system that allows both the local school district and community college to offer adult programs.

## **CAPITAL OUTLAY**

### **Public Education and Capital Outlay (PECO)**

Restore and enhance funding to traditional public schools.

### **School Construction**

Provide adequate school construction funds to support new facilities, renovations, replacement schools, school maintenance, land acquisition, mandated class size reduction, hurricane shelter retrofitting, pre-kindergarten programs housed in public schools, and the additional costs of constructing environmentally efficient “green” schools.

### **Optional Capital Outlay Levy (2.0 mills)**

- Restore the full optional 2.0 mill levy for capital purposes and reject any further reduction and continue the flexibility to use this revenue to pay property and casualty insurance premiums; to purchase equipment to implement on-line testing; and, to purchase software required to run equipment purchased with capital funding.
- Oppose any mandatory diversion of Local Discretionary Capital Outlay levy revenue from traditional public schools to non-traditional public schools.

### **Impact Fees**

- Define school boards as “infrastructure,” not “developers.”
- Maintain fees and reinstate local capital outlay funding for the purposes that they were collected.

### **Relocatables**

Allow, but do not require, local governments and school boards to include the capacity of temporary relocatable facilities in the level of service calculation.

### **Student Station Costs**

Provide for a district or regional index for the per-student-station cost cap to keep pace with changing market place increases for labor, materials, and code requirements.

## **Local Sales Tax**

Expand the allowable use of locally-voted sales tax to include operating expenses that maintain, renovate, or repair existing school facilities and maintain, secure, or upgrade school technology equipment.

## **ACCOUNTABILITY AND STATE TESTING PROGRAM**

- Establish and fund better systems to develop, implement, and audit valid and reliable state tests and expedite the scanning and scoring to provide better, more reliable student data.
- Develop and fund the teacher/administrator evaluation and performance pay system and provide maximum local flexibility for collaboration and negotiations for the implementation.
- Fully fund end-of-course exams and provide that EOCs should not be the determining factor in receiving credit; should not exceed 30 percent of a student's total grade; and, allow students to retake the exams.
- Modify the state's criteria for "intervene status" to ensure clarity, consistency, and fairness.
- Provide the same level of student and educator accountability for all state providers.
- Allow alternative ways for Post-secondary Readiness Test compliance, such as Advanced Placement, International Baccalaureate, AICE, or Dual Enrollment programs.
- Approve the recommendations by the Commissioner's Task Force (Spring 2012) to have equitable and appropriate assessments for students in special education centers and those students classified as English-for-Language-Learners (ELL). Regardless of the assessments utilized, if alternate assessments leading to a standard diploma for students with disabilities are not created, ensure there is a waiver (utilizing a portfolio such as that in the ENNOBLES Act) available for these students.
- Exempt ESE Centers from the school grading system, develop an alternative assessment model that appropriately measures student achievement and teacher performance, and establish statewide criteria for student placement.

## **OTHER ISSUES**

### **Student Safety**

- Permit safety signage on school buses.
- Provide for traffic violation for any unauthorized vehicle, moving or parked in a school bus zone, when buses are loading and unloading.

### **Texting**

Prohibit reading, writing, or sending text messages on an electronic device while operating a motor vehicle in a school zone.

### **Best Practices of Assessment Programs**

Require the state DOE to conduct a “Global Best Practices” review of professional and student assessment programs.

### **Department of Juvenile Justice (DJJ) Funding**

- Ensure that any additional funding for Juvenile Justice centers supplements rather than supplants funds available for the basic education program.
- Allow districts to waive the \$45 fee for adult education basic or GED courses offered to students in jails, stockades, or DJJ facilities.

### **Virtual Education**

Allow districts to claim up to .4 FTE per student for virtual education and allow reporting for a total of 12 months.

### **Elementary Physical Education**

Amend the 150-minute/week requirement for physical education to allow that time to include other teacher-supervised, research-based physical activities that are age and developmentally appropriate.

### **Residency Requirement**

Eliminate the one-year residency for in-state tuition eligibility requirement to attend public school K-12 post-secondary education programs.

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