

Dr. Lawrence S. Feldman, Board Member

**SUBJECT: PROPOSED 2014 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 2014 legislative platform. On August 23-24, 2013, representatives of the Consortium met in Sarasota, Florida to finalize the draft of their proposed 2014 Legislative Program. The draft program includes only those items which were unanimously 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 2014 legislative session is scheduled to begin on March 4, 2014. Member boards must review and adopt the Consortium's legislative program by the end of November. Once all member boards have officially adopted the 2014 Legislative Program, the Consortium will print and distribute the document to the Governor, State Cabinet, all legislators, and interested citizen groups.

ACTION PROPOSED BY

DR. LAWRENCE S. FELDMAN: That The School Board of Miami-Dade County, Florida adopt the proposed draft 2014 Legislative Program.

GREATER FLORIDA CONSORTIUM
OF
SCHOOL BOARDS'
2013 2014 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 GOALS

CONSTITUTIONAL AUTHORITY/ GOVERNANCE

Ensure that, in all cases, legislation should be evaluated to provide that it does not conflict with the constitutional authority of school boards to “operate, control, and supervise” all public schools within their school districts.

- Preserve school board constitutional and home rule authority and oppose legislation that would subvert, bypass, or undermine that authority.
- Allow school districts to establish local contract provisions inclusive of cost structure with post-secondary institutions related to the delivery of dual enrollment.
- Provide local school boards the final authority to grant or reject charter school applications.
- Preserve the constitutional authority of a school board to negotiate a performance contract with a charter school.
- Maintain school boards’ authority regarding the disposition of local capital outlay funds and impact fees.
- Modify penalty for non-compliance with the constitutional class size requirement to be based on the school-wide average for all public schools.

FUNDING

Allocate sufficient state dollars with flexibility to enable school districts 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.

- Increase the state's investment in K-12 education by increasing the Base Student Allocation (BSA) by at least \$200 per student above the total potential 2013-14 K-12 funding level.
- Fully fund both the infrastructure cost and the acquisition of computers/technology for the mandated expansion of computer-based administration of statewide testing, earmarking funds from the internet sales tax.
- Oppose further equalization of the local discretionary millage until the basic education program is funded to the 2006-07 level adjusted for the three-year average of inflation.
- Restore the FTE definition to provide for six periods and fund additional instructional time for dual enrollment and virtual programs.

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.
- Establish a long-term, stable, and recurring revenue source to provide increased 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.

ACCOUNTABILITY AND STATE TESTING PROGRAM

Support Common Core State Standards and Accountability, but develop a workable timeline for implementation of accountability, not before July 1, 2017, including student, teacher, principal, school and school district assessment, professional development, and evaluation.

- Ensure that the state assessment and standards are aligned, valid, fair, reliable, and fully funded.

- Repeal requirements for districts to adopt EOCs in every subject not covered by the state assessment program.
- 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).
- Ensure there is a waiver (utilizing a portfolio such as that in the ENNOBLES Act) available for these students regardless of the assessments utilized.

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ADDITIONAL ISSUES

GOVERNANCE

Mandates/Reforms

Oppose additional reforms and mandates and require at least one-year lead-time for all new provisions.

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.

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 for 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.

Sovereign Immunity

Reject increases in caps and maintain uniformity among local and state government agencies.

Workforce Development

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

FUNDING

- 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 categorical 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.
- Eliminate the wealth adjustment from the sparsity formula.
- Restore the program weights for Exceptional Student Education (ESE), English for Language Learners (ELL), and all secondary (middle and high school) career education programs to pre-2001 levels.
- 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.
- Extend the voter-approved operating millage authority from four (4) years up to ten (10) years.
- Allow for voter approval of the half-cent sales tax for operational as well as capital construction purposes.
- Reinststate the funding for 251, 252, 253, and gifted students on a per student basis and provide state funding for additional pupil personnel services.
- Hold funding in abeyance for the School Recognition Program and reject any new funded or unfunded mandates or new programs.
- ~~Reject any new funded or unfunded mandates or new programs.~~
- Provide that public school funding 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 2006-07 levels (.24 factor).

- ~~Return~~ Adjust the rate of local tax roll collections from 96 percent to 95 94 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.~~

CAPITAL OUTLAY

Public Education and Capital Outlay (PECO)

Restore and enhance funding to traditional public schools.

Optional Capital Outlay Levy (2.0 mills)

Restore the .50 mill levy by majority school board vote for critical operations or capital.

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

- Provide statewide assessments in multiple languages for the first two years of testing.
- ~~Establish appropriate and adequate performance measures for alternative school students.~~
- ~~Provide funding for staff development.~~
- Reinstate 3.5 as the passing writing score.
- 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.
- 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.
- ~~Exempt ESE centers from the school grading system,~~ Develop an alternative assessment model for measuring progress of students enrolled in ESE centers that appropriately measures student achievement and teacher performance, and establish statewide criteria for student placement.

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 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.~~

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.

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 and Post-secondary Education Programs.

Student Health

Require the Florida High School Athletic Association to make literature available to parents on the importance of having a cardiovascular assessment, such as an EKG performed on student athletes and pursue mandatory screening prior to participation in any organized sport.