

Ms. Ana Rivas Logan, Board Member

SUBJECT: 2010 FLORIDA SCHOOL BOARDS ASSOCIATION LEGISLATIVE PLATFORM

COMMITTEE: INNOVATION, EFFICIENCY AND GOVERNMENTAL RELATIONS

LINK TO DISTRICT

STRATEGIC PLAN: ESTABLISH GREATER ALLIANCE WITH LEGISLATIVE BODIES

The Florida School Boards Association (FSBA), has developed its 2010 legislative platform from solicitations of proposals from all 67 school districts. On Thursday, October 29, 2009, representatives from the various districts met in Tampa, Florida, to approve the platform. As the Board's representative to FSBA, I am reporting the approved and ratified 2010 FSBA Legislative Platform.

The FSBA firmly believes that the state has a clear constitutional obligation to provide a "uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education" and endorses the report of the bi-partisan Constitutional Accountability Commission calling for the state to fulfill this paramount duty. In pursuit of this objective, the FSBA identified priorities for the upcoming session:

- Reinstatement of the state's proportionate share of K-12 education funding, restoration of funding for cuts made during the past three fiscal years, avoidance of additional cuts to education funding, and fulfillment of the state's promise to hold school districts harmless from the effects of property tax initiatives through the identification and dedication of adequate funding from existing or new revenue sources;
- Support of constitutional and statutory amendments to revise class size requirements to provide that compliance is based on the average class size at each school for each of the grade groupings and that the number of students in any individual classroom may not exceed the constitutional limit by more than five students. In addition, elimination of sanctions that result in the loss of funds to school districts;
- Restoration of the full optional district 2 mill capital outlay levy;
- Elimination or opposition to any existing or new unfunded mandates; and
- In compliance with Article IX, Section 4, do not encroach on the constitutional duty and authority of elected school boards to "supervise, operate, and control" public schools.

The FSBA has adopted positions on issues of continuing concern which includes the following:

- **Funding** – FSBA believes that a strong and consistent financial investment in education is critical to the success of public schools. Such an investment must be stable, equitable, and sufficient to meet the needs of all students. At a minimum, education appropriations must fully fund enrollment and inflation costs, and must not shift funding responsibilities to local school districts.
- **Facilities** – FSBA believes that excellence in education cannot be accomplished without adequate funding for a sufficient number of well constructed and well equipped school facilities. Ample, equitable and stable funding must be provided to ensure that school facilities offer environments that incorporate new technologies, encourage and enhance teaching and learning, and allow for teacher to student ratios that are in keeping with class size reduction initiatives.
- **Assessment and Accountability** – Work must continue on both the federal and state level to improve alignment of accountability systems and compliance plans so they are consistent, accommodate individual student needs, and accurately reflect student achievement and progress.
- **Curriculum and Instructional Programs** – Florida's citizens, economy, and general welfare are best served through the provision of highest quality public educational programs that cater to the general and individual needs of all students- pre-kindergarten through adult.
- **Personnel** – FSBA recognizes that excellence in student achievement depends greatly upon having dedicated educators who are highly skilled, thoroughly trained, and fairly compensated. In order to attract and retain topnotch instructional and administrative personnel, each school district must have the control and flexible use of adequate funds for competitive salaries, professional development, and programs to support and mentor personnel.
- **School choice Programs and Vouchers** – Statutes relating to charter schools should be amended to restore reasonable limits on the number of charter school contracts any district could have in place at any one time. In addition, the result of an appeal of a charter school application to the State Board of Education must not be binding of the school district.
- **Local Control and Governance** – Statutory provisions that prohibit school districts from advocating on issues that will be placed before voters must be repealed.

**ACTION PROPOSED BY
MS. ANA RIVAS LOGAN:**

That The School Board of Miami-Dade County, Florida, accept the report of the Florida School Boards Association.

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FSBA 2010 Legislative Platform

PRIORITIES FOR THE 2010 LEGISLATIVE SESSION

The Florida School Boards Association endorses the report of the bi-partisan Constitutional Accountability Commission calling for the state to fulfill its constitutional obligation to the children of Florida to provide a "uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education." In pursuit of accomplishing this paramount duty, the Florida School Boards Association urges the Legislature to:

- ✧ Reinstatement of the state's proportionate share of K-12 education funding, restoration of funding for cuts made during the past three fiscal years, avoidance of additional cuts to education funding, and fulfillment of the state's promise to hold school districts harmless from the effects of property tax initiatives through the identification and dedication of adequate funding from existing or new revenue sources;
- ✧ Support constitutional and statutory amendments to revise class size requirements to provide that compliance is based on the average class size at each school for each of the grade groupings and that the number of students in any individual classroom may not exceed the constitutional limit by more than five students. In addition, eliminate sanctions that result in the loss of funds to school districts;
- ✧ Restore the full optional district 2 mill capital outlay levy;
- ✧ Eliminate or oppose any existing or new unfunded mandates; and
- ✧ In compliance with Article IX, Section 4, do not encroach on the constitutional duty and authority of elected school boards to "supervise, operate and control" public schools.

FSBA POSITIONS ON ISSUES OF CONTINUING CONCERN

FUNDING

FSBA believes that a strong and consistent financial investment in education is critical to the success of public schools. Such an investment must be stable, equitable, and sufficient to meet the needs of all students. At a minimum, education appropriations must fully fund enrollment and inflation costs, and must not shift funding responsibilities to school districts.

The Legislature should establish a Blue Ribbon Commission to study K-12 education funding in Florida with specific attention to implementing the constitutional provisions of Article IX, Section 1, the balance of state versus local funding, options for revising the FEFP formula to improve equity, and options for funding capital construction.

Any legislation that dictates a specific percentage of a district's operating budget that must be allocated to "direct classroom instruction" expenses is unrealistic and, therefore, should be opposed.

Funding for School Advisory Councils should be restored and funds for the School Recognition Program should be redirected to the District Discretionary Lottery allocation.

The Base Student Allocation must be increased to provide for enrollment, price level inflation, adequate and competitive increases teacher and other employee salaries, and quality academic program improvements to enhance student achievement.

Full funding, as determined jointly by school districts and the DOE, must be provided for the operational and capital costs of Class Size Reduction. In addition, funding for the transportation and instructional materials categoricals should be restored to line item allocations separate from the FEFP line item allocation.

The Legislature should develop and implement an adequate statewide funding system for workforce education programs based on performance and accountability measures. In addition, weighted funding for International Baccalaureate, Advanced Placement, and other advanced courses must be restored to its original level.

Statutes relating to District Millage Elections should be modified to allow school districts to renew a voted ad valorem tax millage for operations for a period of 10 years.

Florida's sales tax structure should be examined and tax exemptions on non-essential goods and services should be phased out. In addition, a means to collect sales tax on appropriate internet purchases should be implemented.

The Legislature should identify and approve revenue streams to compensate for the loss of federal American Recovery and Reinvestment Act dollars and for the continuing decline of state and local revenues.

State funding must be provided for internet connections and the bandwidth increase that will be needed for required online assessments.

FACILITIES AND PLANNING

FSBA believes that excellence in education cannot be accomplished without adequate funding for a sufficient number of well constructed and well equipped school facilities. Ample, equitable, and stable funding must be provided to ensure that school facilities offer environments that incorporate new technology, encourage and enhance teaching and learning, and allow for teacher to student ratios that are in keeping with class size reduction initiatives.

Student capacity formulas must accurately reflect the number of available student stations in a manner that is consistent with legislative policies regarding class size reduction, school concurrency, the use of portable classrooms, and all instructional programs requirements. In addition, capacity for VPK programs should be included as capacity when determining school facility needs and utilization.

Statutorily established costs per student station must be modified to better reflect the added costs inherent to inflation, technology, regional cost considerations, and related factors.

Adequate funding must be provided for hardening facilities that serve as emergency shelters, for all replacement and repair costs, and for all operational costs associated with the operation of school emergency shelters before, during, and after storms.

The Legislature must oppose any efforts to reduce, eliminate, or direct the distribution of school impact fees.

ASSESSMENT AND ACCOUNTABILITY

Work must continue on both the federal and state level to improve alignment of accountability systems and compliance plans so they are consistent, accommodate individual student needs, and accurately reflect student achievement and progress.

A moratorium must be placed on any further changes related to mandated curriculum, school grading, differentiated accountability, and performance requirements until Congress completes work on reauthorization of ESEA and a decision is reached on national standards for common core curricula.

The implementation of the new high school grading system should be delayed for one year or until school districts receive an appropriate funding increase.

The GED Exit Option program should be reinstated as a route for graduation with a standard diploma.

In determining school grades, scores of students new to the district should be excluded until both performance scores and learning gain scores are available for these students. In addition, Specialized Centers for Hospital/Home Bound students should be exempted from school grading.

CURRICULUM AND INSTRUCTIONAL PROGRAMS

Florida's citizens, economy, and general welfare are best served through the provision of the highest quality public educational programs that cater to the general and individual needs of all students – pre-kindergarten through adult.

Enhancements to the Voluntary Prekindergarten Program are needed to provide a 180-day VPK program with 4 core hours of instruction over a six hour day with quality instructors and to allow flexibility by local agencies to supplement state funded programs without penalty.

Statewide articulation agreements must be provided for school districts, colleges and universities so that dual enrollment credit will transfer to higher education institutions.

PERSONNEL

FSBA recognizes that excellence in student achievement depends greatly upon having dedicated educators who are highly skilled, thoroughly trained, and fairly compensated. In order to attract and retain topnotch instructional and administrative personnel, each school district must have the control and flexible use of adequate funds for competitive salaries, professional development, and programs to support and mentor personnel.

Full funding must be restored for application assistance and bonuses for teachers who apply for and obtain National Board Certification.

School district authority to re-employ individuals retired under the FRS after one month of retirement must be restored with the condition that they may not receive FRS benefits for a period of one year and may not re-enroll in the FRS. In addition, the authority to exempt instructional personnel who retire under FRS from the provisions of s. 1012.33(3)(g), FS, must be restored with regard to recognizing years of in-state teaching service on the salary schedule.

The Legislature should allow the use of Merit Award Program funds for faculties and schools, recognizing the team approach.

A new, dedicated funding source must be identified to provide a full-time nurse to be available in every public school.

SCHOOL CHOICE PROGRAMS AND VOUCHERS

Statutes relating to charter schools should be amended to restore reasonable limits on the number of charter school contracts any district could have in place at any one time. In addition, the result of an appeal of a charter school application to the State Board of Education must not be binding on the school district.

In order to protect capital investments of public funds in charter school facilities, all charter school contracts must include provisions requiring the reversion of the facility to the school district and/or the recapture of any state or local investment in the facility.

For virtual school programs, funding must allow reporting of FTE in all reporting periods for total 12-month FTE limit of 1.0. In addition, virtual instruction enrollment should be open to any student entering kindergarten.

The Legislature must oppose any further expansion of the Florida Tax Credit Scholarship Program and consistent accountability and funding standards must be implemented for the students and non-public schools participating in this program.

LOCAL CONTROL AND GOVERNANCE

Statutory provisions that prohibit school districts from advocating on issues that will be placed before voters must be repealed.

The Administrative Procedures Act should be amended to remove the provision requiring that notices be published in a newspaper and replace with a provision requiring that notices be announced in a news release to local media and be posted on the district website.

The Legislature should restore the authority of the Commissioner of Education to waive statutes, except for those dealing with life safety issues, upon request of the local school board.

School districts must be provided with maximum flexibility in designing the school calendar, including flexibility to set the school start date and to determine the number of school days per week and per year.

School boards must have flexibility in implementing zero tolerance policies and age appropriate remedies for violations, including taking intent into consideration.

The Legislature should support state funding for the training of school board members. Such training should include legal mandates, best practices, open government, and other areas of expertise to assist elected school board members to fully serve the needs of the student in their districts.

FEDERAL ISSUES

The Florida School Boards Association urges Congress to:

- ❖ Increase the federal investment in public education to fully fund the government's share of ESEA and allow districts to focus those dollars on increasing achievement of the highest poverty students;
- ❖ Increase the federal investment in IDEA to the guaranteed level of 40% of the increased costs to meet special education mandates;
- ❖ Maintain the Universal Service Fund which has been the backbone of improvement for connecting students and teachers to on-line learning resources and opportunities;
- ❖ Reject voucher and tuition tax subsidy proposals that result in public funds subsidizing private schools unless those tax dollars have the same accountability requirements as the dollars for public schools;
- ❖ Provide federal funding for the extra operating and construction costs incurred by school districts in building and operating schools that serve as emergency shelters;
- ❖ The conflicts within NCLB should be removed before further legislation to expand high school test requirements is made. High school graduation requirements should remain the province of the states and not become federal policy unless and until NCLB is fully funded;
- ❖ Support H.R. 3221 that establishes the Early Learning Challenge Fund (ELCF) which creates 2 new competitive state grant programs and establishes a national commission to review state and federal early learning standards, evaluate barriers to interagency collaboration and coordination, recommend benchmarks, conduct a national evaluation, and support a research collaborative of four federal agencies.