

Dr. Lawrence S. Feldman, Vice Chair

**SUBJECT: PROPOSED 2016 LEGISLATIVE PROGRAM OF THE GREATER FLORIDA CONSORTIUM OF SCHOOL BOARDS**

**COMMITTEE: INNOVATION, GOVERNMENTAL RELATIONS AND COMMUNITY ENGAGEMENT**

**LINK TO STRATEGIC FRAMEWORK: EFFECTIVE & SUSTAINABLE BUSINESS PRACTICES**

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, Lee, Martin, 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 2016 legislative platform. On August 28-29, 2015, representatives of the Consortium met in Ft. Lauderdale, Florida to finalize the draft of their proposed 2016 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 2016 legislative session is scheduled to begin on January 12, 2016. Member boards were asked to review and adopt the Consortium's legislative program by October 1<sup>st</sup>. Once all member boards have officially adopted the 2016 Legislative Program, the Consortium will print and distribute the document to the Governor, State Cabinet, all legislators, and interested citizen groups.

This item does not appear on the published agenda. Good cause exists to vary from the published agenda because the Consortium's finalized 2016 Legislative Program was received after publication. Since the Legislature will begin meeting this month to consider proposed legislation for 2016, and because the Consortium has requested that the Board take action before October 1, this item must be addressed by the Board before its next regular Board meeting.

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

That The School Board of Miami-Dade County, Florida adopt the proposed draft Greater Florida Consortium of School Boards 2016 Legislative Program.

**Good Cause  
H-19**

**GREATER FLORIDA CONSORTIUM  
OF  
SCHOOL BOARDS'  
2015 – 2016 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/UNFUNDED MANDATES**

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

**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 **Base Student Allocation** (BSA) for FY ~~2015-16~~ 2016-17 by ~~\$368.56 or more to truly restore funding to the FY 2007-08 appropriated per student level~~ \$354.84 in total potential state and local dollars, exclusive of categorical programs, and by five (5) percent, for each of the next three years.
- Move Florida’s total FEFP funding to at least the **national average** over the next three (3) years.
- Fund **tuition, instructional materials and administrative fees** to state and community colleges and universities for dual enrollment.
- Protect district projections on student enrollment by funding a contingency appropriation from the state reserve each year to avoid mid-year FEFP hold backs.

- Restore the **ESE Guaranteed Categorical** allocation to the pre-recession level of \$2,220.56 per student or greater.
- ~~Restore the 0.50 mill capital outlay taxing authority to local school boards to meet the school maintenance and technology needs of their community. (Repeated in next section)~~
- Fund the infrastructure cost and acquisition of **computers/technology** for the expansion of digital instruction and mandated testing.
- Collect and earmark the **internet sales tax** for public schools.
- Oppose further equalization of the **Local Discretionary Millage**.
- Restore the FTE definition to provide for **six (6) periods** and fund additional instructional time for **dual enrollment** and **virtual programs** up to a maximum of **eight (8) classes** per student.
- Fully fund a new \$30 million categorical program for the **100 ~~300~~ lowest performing elementary schools** and allow the school districts the flexibility in providing the additional time during summer school or a combination to meet the 180-hour requirement.
- Base the **class size requirement** on the school-wide average for all public schools.
- 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**.
- 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.
- 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.
- Eliminate the **wealth adjustment** from the sparsity formula.

#### **OPTIONAL CAPITAL OUTLAY LEVY (2.0 MILLS)**

- Restore the full **optional 2.0 mill** levy for capital purposes to meet school maintenance and technology needs and reject any further reduction and continue the flexibility to use this capital 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 or~~ other critical capital or operational needs.
- Increase the cap for **vehicle purchases** and **property and casualty insurance** from \$100 to \$150.
- 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.

## **CHARTER SCHOOLS**

- Require that all publicly funded schools have the **same laws, rules, and regulations**.
- Focus the **approval of charter applications** to a specific academic or space need which the local district does not or cannot meet or if the district determines the application is in the best interest of the student.
- Require a \$250,000 **performance bond** upon application and for facilities to be **certified for occupancy** at least thirty (30) days before opening day.
- Maintain school boards’ authority to negotiate a **performance contract** with a charter school by repealing the standard contract.
- Maintain school boards’ authority over **local capital outlay funds**.
- Grant final authority to approve or reject **charter school applications**.

## **ACCOUNTABILITY AND STATE TESTING PROGRAM**

- Delay the use of Florida State Assessment (FSA) results in determining school grades, student promotions, graduation, or for teacher evaluations, until July 1, 2017 and create a workable accountability system, not to be implemented before July 1, 2016, with the following components: standards, instruction, technology, and assessments, with common characteristics fully aligned to each other, demonstrably fair, equitable, reliable, affordable, timely, rigorous, rationally compatible and funded.
- Use 2015 and 2016 state student assessment data solely for diagnostic purposes in order to assure that the state's system is reliable, fair, and a valid baseline for 2017-18;
- Require the State Board of Education and commissioner to conduct a concordance of national assessments for all grade levels, including, but not limited to ACT/PSAT/SAT, to Florida’s standards that districts may use in lieu of FSA, beginning in 2017-18.
- Allow the use of Postsecondary Education Readiness Test (PERT) and reinstate the funding to meet Algebra I with the addition of high school English/Language Arts (ELA) requirements;
- Make permanent the 2014-15 procedure for determining third grade retention and promotion;
- Ensure that no personally-identifiable student information derived from education records will be accessible to any individual, institution, or entity for any commercial improper, unauthorized, and/or non-educational purposes.

- Provide for paper and pencil exams to be offered until such time as all school districts have demonstrated ability for computer-based testing.
- Eliminate the one-sixth of the FTE penalty if the student fails to pass the End-of-Course assessment.

## **ADDITIONAL ISSUES**

### **GOVERNANCE**

#### **Mandates/Reforms**

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

#### **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 (3) years.

#### **Value Adjustment Board (VAB)**

- Continue to allow school districts to levy the prior period adjustment millage when the property appraiser has not finalized the tax roll by June 30<sup>th</sup>.
- Modify the VAB appeals process to include:
  - The requirement that the property owner sign/approve the appeal;
  - Limit rescheduling of appeals to no more than one (1);
  - Tying the interest rate for refund to the market rate;
  - Requiring the property appraiser to finalize the tax roll ~~a date certain~~ by June 30<sup>th</sup>; and,
  - Requiring a review by the state of the property appraiser's process when the estimate on July 1<sup>st</sup> is two (2) percent or more lower than the state estimate for three (3) or more consecutive years.

#### **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.
- Provide state funding to cover the cost of fees for adult basic and GED programs and testing.

## **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.

## **Workforce Education**

Maintain the dual education delivery system that allows both the local school district and community/state college to offer post-secondary career, technical, and adult education programs.

## **FUNDING**

- 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.
- 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.
- Restore Adults with Disabilities (AWD) program statewide funding.
- 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.
- Allow for **voter approval of the half-cent sales tax** for operational as well as capital construction purposes.
- Reinstate 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.
- 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 a school readiness 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).
- Establish a **five-year adoption** cycle for required college and university instructional materials for dual enrollment.
- Provide state funding to support all **technology and digital requirements** that the legislature has mandated districts must meet by 2015 or delay that deadline.

- Support state funding for a **high quality optional full-day voluntary pre-K (VPK) program** for all students.
- Allow districts to waive the \$38 ACT fee as an alternate to the Florida Standards Assessments for students within the first twelve (12) months of the cohort’s graduation.
- Provide **maximum flexibility** with the funds appropriated.
- Adjust the rate of **local tax roll collections** from 96 percent to 94 percent for FEFP calculation purposes.
- Allow school districts to use their portion of the **state motor fuel tax credit** to purchase school buses in addition to existing authorization for school or street renovation.

## **CAPITAL OUTLAY**

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

Restore and Enhance funding to traditional public schools on a per student basis.

### **State Requirements for Educational Facilities (SREF)**

Provide school districts flexibility to use the Florida Building code in lieu of SREF.

### **Impact Fees**

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

### **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.

## **ACCOUNTABILITY**

Restore the special diploma for the benefit of a limited percentage of students with disabilities.

## **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.

## **OTHER ISSUES**

### **PIP/School Buses**

Reaffirm that school buses are not commercial vehicles and not subject to PIP.

### **Student Safety**

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

### **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.

### **Career Academies**

Create rigorous industry certificates and increase the program weights.

### **Swimming Pools**

Allow school boards to use portable pools for the exclusive instructional use for swimming lessons.