

FLORIDA SCHOOL BOARDS ASSOCIATION, INC

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2014 FSBA LEGISLATIVE PLATFORM

PRIORITIES FOR THE 2014 LEGISLATIVE SESSION

The Florida School Boards Association (FSBA) calls for the Legislature to support a high quality system of free public schools that allows students to obtain a high quality education by pursuing the following priorities:

- ❖ Ensure that the adoption and implementation of Common Core State Standards:
 - Provide for the transition to new assessments that are affordable, valid and reliable, and nationally normed and are fully implemented no sooner than July 1, 2017;
 - Provide for students, teachers, schools, and districts to be held harmless during the transition period;
 - Provide for the implementation of teacher and principal evaluations and the performance pay salary schedule to be delayed until after the transition to the new assessments and the establishment of baseline results;

- ❖ Revise Florida's assessment and accountability system to:
 - Ensure that ELL students are served for at least two years in ESOL programs before their performance is included in the calculation of school and district grades;
 - Authorize alternate methods for assessing learning and achievement for special populations, such as populations of students enrolled in ESE and ESOL programs, to ensure that student progress is accurately measured and reflected;
 - Remove ESE Center schools from the school grade portion of the state accountability system;
 - Include data from multiple forms of assessment and limited standardized testing;
 - Ensure that the development of assessment instruments is fully funded by the state;

- ❖ Appropriate sufficient funding, in addition to the FEFP, that will fully fund technology needs, including funds necessary for infrastructure, hardware, software, training, online testing, virtual instruction, digital textbooks, data management, and other technology needs;

- ❖ Repeal the 2013 requirement that school districts pay college tuition fees, fully fund the school district costs to provide dual enrollment programs, and maintain the current delivery system that allows local school districts and community colleges to offer adult education programs;

- ❖ Establish an additional standard high school diploma for special needs students who cannot pass statewide assessments required for graduation, but can demonstrate achievement of basic skills and revise current graduation regulations to include the special diploma students as graduates in the four year rate;

- ❖ Restore the authority for school boards to levy, by simple majority vote and without a referendum, up to an additional .50 mills for either critical operating needs or capital outlay needs, or to be split between both.

FSBA POSITIONS ON ISSUES OF CONTINUING CONCERN

FUNDING

FSBA believes that a strong and consistent financial investment in education is vital for the academic success of students and for the economic prosperity of all Floridians. Such an investment must include new revenue sources, must be stable and equitable, and must not shift state funding responsibilities to school districts. In support of these beliefs, FSBA urges the Legislature to:

- Prohibit the state from mandating or assigning any new, existing, expanded, or modified programs or responsibilities to any school district unless such programs or responsibilities are fully funded by the state;
- Allocate sufficient state dollars to support guaranteed continuation budgets that provide for quality instructional programs, enrollment growth, inflationary increases, competitive salaries and benefits for effective personnel, and modern, safe, and secure facilities;
- Repeal 2013 changes in the calculation of full-time equivalent (FTE) student hours and provide secondary school funding for classes beyond 6 courses, including dual enrollment and virtual education;
- Fully fund all costs for student transportation, including the additional funding necessary to address:
 - the calculation of secondary student transportation based on 2 students per seat, rather than 3 students per seat;
 - the maintenance and replacement costs for school buses that must travel over dirt or unpaved roads and for other unusual wear and tear;
 - Full funding of the cost of Opportunity Scholarship transportation;
- Allow 100% of funds allocated for textbook adoptions to be used for the purchase of digital content and materials;
- Fully fund Class Size Reduction operating and capital needs and:
 - provide for full compliance to be measured at the school average for each grade grouping rather than at the individual classroom level;
 - Ensure that no school district is assessed a penalty for non-compliance with class size reduction requirements if the district school board has expended all class size funding from all prior years, and committed all class size funding in the current year, to meet class size requirements;
- Provide additional categorical funding based on the percentage of students in poverty each district serves;
- Provide the funding, statutory authority, and flexibility for school districts to provide proper psychological and sociological assistance to students and parenting skills for parents.
- Expand the allowable use of locally voted sales tax to include operating expenses; and
- Support legislation that enables Florida to collect state sales tax due on remote and internet purchases of goods and services that are currently taxable offline.

ASSESSMENT AND ACCOUNTABILITY

FSBA fully supports assessment and accountability measures that are designed to support and enhance student learning. Collaborative efforts must continue on the federal, state, and local level to improve alignment of accountability systems so they are consistent, accommodate individual student needs, are properly administered and interpreted, and accurately reflect student progress and achievement. Toward this end, FSBA urges the legislature to:

- Eliminate the practice of using student performance on standardized tests as the primary basis for evaluating teacher, administrator, school, and district performance;
- Modify the current assessment system so that students are assessed for grade level proficiency and the progress made from the beginning to the end of the same school year;
- Ensure that assessment results are returned promptly to students, parents, and teachers for diagnostic and planning purposes;
- Ensure that state assessment system is correlated to national and international assessments for comparison of student progress and proficiency;
- Eliminate the reversion of assessment scores to home schools for those students attending a school or program other than their home school;
- Create concordant passing scores on the PERT, PSAT, SAT, and ACT for the state developed EOC exams that are required for graduation and consolidate high school assessments so that one exam can serve multiple purposes such as college readiness and high school proficiency;
- Align the statewide testing program with college and career success, including measures and percentages of learning gains, percent of students on track for college and career success, and the availability of formative and interim assessment to be used at the discretion of the district;
- Allow for paper and pencil testing options for all school assessment requirements;
- Revise the one-year residency requirement to allow secondary students to enroll in post-secondary programs for the purposes of appropriate dual enrollment or co-enrollment course offerings and to allow former secondary students to enroll in adult continuing education;
- Revise the school grading system to factor in indicators that address student demographics such as ELL and ESE students; and
- Repeal any provisions that require passage of any EOC exam for funding purposes.

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 professional development, competitive salaries, and programs to support and mentor personnel. In pursuit of these goals, FSBA urges the Legislature to:

- Allow local flexibility in the negotiation, design, and implementation of performance based salary plans, reduce the weighting of the student learning growth component to no more than 1/3 of a teacher's evaluation, and provide additional state funding for this purpose;
- Amend statutes to allow retired teachers to substitute teach during their first year of retirement and collect their retirement benefits;
- Do not require districts to pay into FRS for employees who have already retired and return to work and are prevented from receiving retirement pay; and
- Add a line item in the General Appropriations Act that lists the employer contribution rate and projected cost for employee pensions, any unfunded liability, administrative costs, and the health insurance subsidy for each class of the Florida Retirement System.

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 encourage and enhance teaching and learning and that support new technology. To achieve this, FSBA urges the legislature to:

- Increase the rate and expand the base of the Gross Receipts Utilities Tax to enhance available state PECO funding and identify new state revenue streams for public school construction, remodeling, maintenance, life-safety, hardening for emergency shelters, insurance, and technology;
- Restore adequacy and equity in the distribution of PECO funding to traditional public schools and charter schools and ensure that the distribution is based on need;
- Create a new definitions for "utilization" and "capacity" that reflect actual usage by non-Capital Outlay FTE when evaluating whether school district owned buildings may be deemed available as charter school sites;
- Provide local control over the use of revenue derived from the local capital outlay millage, including the local decision option to use these funds to cover the cost of technology software required to run the equipment purchased from capital dollars;
- Oppose any efforts to reduce, eliminate, or direct the distribution of school impact fees; and
- Provide funding, from PECO or other state revenue sources, for qualified Critical Need Special Facility Construction Account Projects.

SCHOOL CHOICE OPTIONS

FSBA believes that public school choice programs, such as charter schools, virtual schools, and magnet programs, can offer enhanced opportunities for students to excel. However, such programs must be subject to local control, must be subject to uniform federal, state, and local accountability systems, and must demonstrate success if they are to be continued. To ensure that school choice options present academically sound opportunities for student success, FSBA urges the Legislature to:

- Revise Florida’s charter school statutes and policies to:
 - Provide for a local school board with the final decision-making authority over charter schools within the district, including decisions to accept or reject and to renew or terminate the charter contract;
 - Apply the same laws, rules, and regulations to both charter schools and traditional public schools, including regulations relating to class size requirements, selection of students, release of students from school, facilities standards, tax exemptions, use of categorical funds, financial standards and transparency, ethics, and establishment of high performing status;
 - Repeal the standard charter school contract and restore the school board’s right to negotiate a contractual agreement as the sponsor;
 - Oppose any effort to divert any local tax funds to charter schools without the consent of the school board;
 - Establish appropriate administrative fees for all charter schools to reimburse the authorizing school district for the actual cost of the mandated services the district must provide;
 - Expand the statutory causes for nonrenewal or termination of a charter school to include the “academic welfare” of students;
 - Establish increased oversight and accountability for “for profit” charter and virtual management companies and oppose expanding the use of tax funds to support for-profit schools by:
 - * Giving school districts the authority to audit all charter school funds, including direct support organizations, to ensure compliance with statutes.
 - * Allowing excessive management fees to be included as a cause for denial of a charter application.
 - * Requiring management fees to be calculated as a percentage of operating funds and reported on each charter school’s website;
- Align drop out prevention statutes with eligibility requirements for virtual instruction so that students who have dropped out of school are eligible for virtual instruction;
- Establish a requirement for VPK vouchers to be made available onsite by each authorized participating provider to increase access and enrollment by at-risk students; and
- Halt the trend toward the privatization of public education through the Corporate Tax Credit Scholarship and similar programs and ensure that public funds are not spent on any voucher program that is not required to meet the same public and academic accountability standards as public schools, particularly when these programs have no proven record of better academic outcomes.

LOCAL AUTHORITY AND GOVERNANCE

FSBA believes that locally elected school board members are committed to their constitutional duty and authority to supervise, operate, and control the public schools within their school district. A school board is keenly aware of the unique needs of the community that it serves and is best positioned to make the decisions necessary to ensure the greatest opportunities for students. In support of the constitutional authority of school boards to operate, supervise and control public schools, FSBA urges the Legislature to:

- Oppose any efforts to limit or impede Constitutional duties and authority of local school boards;
- Create a mechanism in law for school districts to request, from the Governor or Education Commissioner, waivers to laws or regulations;
- Oppose modification of the school district governance structure without input from the local school board and the residents within the county;
- Support a constitutional amendment for the 2014 ballot calling for the legislature to convene annually in January, rather than March, in order to allow adequate lead time to implement legislation that is passed for implementation in the following year;
- Provide an adequate time line after the passage of any major education legislation in order to give the State Board of Education and local school boards sufficient time to pursue rule-making and address the logistics of implementation;
- Oppose any “parent empowerment” or “parent trigger” legislation that usurps the constitutional authority of the school board and oppose any effort to impose a turnaround option on a low performing school without the consent of the school advisory council and district school board;
- Reject any attempt to dramatically increase sovereign immunity caps for local governments or to decouple caps for local governments from the caps that apply to state agencies; and
- Support legislation that would place Performance Enhancing Drugs on Schedule III of the Florida Comprehensive Drug Abuse Prevention and Control Act, thus making it a violation for pharmacies, physicians, and anti-aging clinics to advertise the use or sale of these drugs and make it illegal to dispense these drugs from physician offices.

FEDERAL ISSUES

The Florida School Boards Association urges Congress to:

- Revise the federal and state definition of the Limited English Proficient (LEP) student entry date to allow for at least a three year period of public school attendance before the LEP student assessment scores are applied to the student, personnel, school, or school district for accountability purposes;
- Support legislation that would allow states to collect state sales tax due on remote and internet purchases of goods and services that are currently taxable offline;
- Increase the federal investment in IDEA to the guaranteed level of 40% of the increased costs to meet special education mandates;
- Increase the federal investment in public education to fully fund the government's share of ESEA and avoid provisions that would divert substantial federal resources into competitive grant programs;
- Proceed with the reauthorization of ESEA and eliminate sanctions against states and school districts;
- Continue Medicaid reimbursements to school districts;
- Support and monitor FCC implementation of "ConnectEd" plan for E-Rate increases;
- Provide adequate funding for Enhancing Education Through Technology and other programs that help school districts improve digital learning, assessment, and teaching;
- Support the reauthorization of the Terrorism Risk Insurance Act (TRIA) ensuring that the federal government would share some of the losses with the insurance market should a significant event occur, thus ensuring that insurance coverage is affordable and available to local governments;
- Address the financial impact of federal immigration policies on local school districts for the increased demand for immigrant education and integration programs by supporting the Entrant and Refugee Assistance Program under the Targeted Assistance and Immigrant Education allocation serving foreign-born students and their families; and
- Support federal funding to local law enforcement and school districts to ensure that schools have well-trained and equipped police personnel to protect children while in schools.