

# FLORIDA SCHOOL BOARDS ASSOCIATION, INC

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## 2012 FSBA Legislative Platform

*(As Adopted on 10/13/11)*

### PRIORITIES FOR THE 2012 LEGISLATIVE SESSION

The Florida School Boards Association calls for the Legislature to fulfill its constitutional obligation to make adequate provision for 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 to the children of Florida, the Florida School Boards Association urges the Legislature to:

- ❖ Enact constitutional and statutory provisions that prohibit the state from mandating or assigning any new, existing, expanded, or modified programs or responsibilities to any school district in such a way as to necessitate additional local expenditures by the school district unless such programs or responsibilities are fully funded by the state;
- ❖ Allocate sufficient state dollars with flexibility to enable school districts to support guaranteed continuation budgets that provide for quality instructional programs for all students, enrollment growth, inflationary increases, and competitive salaries and benefits for effective personnel;
- ❖ Restore the authority for school boards to levy an additional .25 mills for critical operating or capital outlay needs;
- ❖ Make the necessary changes to Florida's current tax laws in order to position Florida to join the Streamlined Sales Tax Governing Board so that Florida may collect the state sales tax due from online and remote sales;
- ❖ Provide adequate state capital outlay funds to support new construction, school maintenance, repair and renovation of existing facilities, land acquisition, class size reduction, and technology, and restore equity in the distribution of PECO funding to traditional public schools and charter schools;
- ❖ In compliance with Article IX, Section 4, restore local control and eliminate measures that encroach upon the constitutional duty and authority of elected school boards to "supervise, operate and control" public schools, including, but not limited to, the authority to set salary schedules, determine appropriate instructional and administrative expenses, and set the opening and closing dates of schools;
- ❖ Restore the local authority to levy 2 mills for capital outlay purposes without impacting operating millage, and oppose any further reduction in this millage;
- ❖ Support the constitutional office of the school board and oppose any unilateral modification of the school district governance structure without the consent of the local school board and subsequent input from the residents within the county.

## **FSBA POSITIONS ON ISSUES OF CONTINUING CONCERN**

### ***FUNDING***

FSBA believes that a strong and consistent financial investment in education is critical to the academic success of students. Such an investment must include new revenue sources, must be stable and equitable, and must not shift funding responsibilities to school districts.

A study of K-12 education funding – 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, consideration of including a weighted funding factor to offset the effects of poverty, and options for funding capital construction – should be conducted by a Blue Ribbon Commission that is independent of political influence.

To restore the state's investment in education, the Legislature must develop a plan that reinvests a specific percentage of dollars back into education as the state's economy grows and recovers. Such a plan must replace, with recurring state funds, federal ARRA and Education Jobs funds that had supported the FEFP but have since expired.

In addition, funding levels must be restored and provide for workload increases for all allocations earmarked within the FEFP, including, but not limited to, safe schools, exceptional student education guarantee, instructional materials, supplemental academic instruction, and transportation. Further, the calculation of state funding for secondary student transportation should be based on 2 students per seat, rather than 3 students per seat. Also, for FEFP calculation purposes, the rate of local property tax roll collections should be restored to 95% or to the 5-year average of the statewide collection rate, whichever is lower.

Class Size Reduction must be fully funded pursuant to the constitutional requirements, but not at the expense of the FEFP, including full state funding for the cost of building additional classrooms necessary for class size compliance. Class Size Reduction funding should be distributed based on the school district's utilization needs. In addition, the Legislature should devise a more equitable and appropriate funding penalty for districts that are unable to comply with class size reduction requirements.

The state must enhance its investment in quality early learning programs by providing a more robust base student allocation for the Voluntary Prekindergarten Program that is consistent with national models for a high quality program. The state must also restore enhanced funding for Advanced Placement, International Baccalaureate, and other advanced programs. The state must also continue to provide co-enrollment funding (FEFP and Adult Education) for high school students who are deficient in credits needed for graduation or who need to improve their cumulative grade point average in order to meet their graduation requirements.

The state must develop and implement an adequate statewide funding system, based on performance and accountability measures, for workforce education programs administered by school district technical/career centers.

As the state pursues greater reliance on technology, full funding must be provided for the technological infrastructure necessary for equitable access to virtual learning, online resources, online testing, and other technological needs.

## ***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.

Legislative and DOE regulation over any locally levied, voter approved, taxes for capital outlay purposes must be eliminated. In addition, the Legislature must oppose any efforts to reduce, eliminate, or direct the distribution of school impact fees.

## ***ASSESSMENT AND ACCOUNTABILITY***

Collaborative efforts must continue on the federal, state, and local 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

The state must fund 100% of the costs associated with establishing new, reliable, and valid state required tests in every subject not covered by a state accountability test. Publishers should be required to provide vetted test item banks that are aligned to the statewide testing program. Teachers should be able to access these test item banks to develop their own assessments.

End-of-Course exams must comprise no more than 30% of the student's grade and frequent retakes must be authorized. Furthermore, in order to ensure that a student's performance on a single end-of-course exam is not unfairly weighted over end-of-course exams in other subjects, the requirement that students pass the middle school Civics end-of-course exam in order to be promoted to high school or graduate from high school must be eliminated.

The statewide testing program must align with college and career success, including measures of learning gains toward proficiency, percent of students on track for college and career success, and the availability of formative and interim assessments to be used at the discretion of each district.

The Legislature must revise high school graduation requirements to accommodate students who wish to pursue a college ready curriculum and those who wish to pursue a career ready curriculum, and amend the state standards to allow Career and Professional Education Academies the flexibility to implement applied math and science courses.

## ***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.

The Legislature should absorb the anticipated 1.8% increase in the employers' contribution to the FRS and reduce the current employee's 3% of salary contribution to the FRS. Further, the Legislature must commit to long-term funding stability for teacher performance pay and teacher evaluation systems.

## ***SCHOOL CHOICE – CHARTER SCHOOLS, VIRTUAL INSTRUCTION, AND VOUCHERS***

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. FSBA remains steadfast in opposition to voucher programs that lack public and academic accountability and that have no record of enhancing student achievement.

The local school board must have the final decision-making authority over the approval of an application for charter status in the school district. Appropriate administrative fees for all charter schools must be established to reimburse the authorizing school district for the cost of the mandated services the district must provide to these charter schools.

Charter schools must meet the same compliance threshold for class size reduction as traditional public schools and must face the same penalties for noncompliance. In addition, local tax funds intended to support the school board's 5-year facilities plan must not be diverted by the Legislature to charter schools without the consent of the school board.

The Legislature must establish increased oversight and accountability for "for profit" charter and virtual management companies and must limit the administrative fees charged by these management companies to cover only actual administrative costs.

In order to ensure equity and consistency in funding and accountability among virtual programs, FTE must be reported in all reporting periods for total 12 month FTE limit of 1.0. In addition, the Florida Virtual School must be prohibited from enrolling students without the approval of, and oversight by, the school district.

The Legislature must close the funding loophole used by voucher, charter, virtual, or other non-district schools who keep a student enrolled in their school long enough to receive FTE funding, then dismiss the student from the school which results in the district receiving the student without state funding. In addition, the legislature should repeal the provision that allows 9<sup>th</sup> and 10<sup>th</sup> grade students to be eligible for an Opportunity Scholarship transfer based on FCAT alone, rather than on the school grade.

## ***LOCAL CONTROL AND GOVERNANCE***

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

The Legislature must reinstate the provisions of section 1002.621, F.S. (1999-2010) granting any school board the authority to have specific statutes and administrative rules waived that are not in conflict with life safety or other federal requirements.

In addition, Section 1001.371, F.S., relating to the Organization of District School Board, must be amended to allow for flexibility of the mandated organization date.

## ***FEDERAL ISSUES***

The Florida School Boards Association urges Congress to:

- ★ Support the Mainstreet Fairness Act (HR 5660) or similar legislation that would require online and catalogue retailers to collect sales tax for states that are members of the Streamline Sales Tax Governing Board;
- ★ Increase the federal investment in IDEA to the guaranteed level of 40% (currently 16-17%) 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 that were incorporated with NCLB, including sanctions in states participating in the Differentiated Accountability waiver, and ensure that the new policies and mandates imposed are fully funded and do not undermine local control;
- ★ Continue Medicaid reimbursements to school districts;
- ★ Develop a long-term solution to the chilling effect of the Anti-Deficiency Act, increase the E-Rate cap to meet demonstrated need and adjust the cap annually to keep pace with inflation, and refrain from adding new eligible services to E-Rate;
- ★ Provide adequate funding for the Enhancing Education Through Technology and other programs that help school districts improve digital learning, assessment, teaching, infrastructure, and productivity;
- ★ Expand access to high-quality, voluntary pre-kindergarten programs for three- and four-year old students through the federal prekindergarten Race to the Top initiative;
- ★ Ensure that the new policies and mandates imposed with the reauthorization of the Child Nutrition Act are fully funded and do not undermine local control.