

Leaders

A Newsletter for Florida School Board Members

Beverly Slough new FSBA president

St. Johns County School Board member Beverly Slough has been elected president of the Florida School Boards Association.

Ms. Slough joins four other school board members who were recently elected to FSBA offices during the association's recent conference in Tampa. These include: Joy Bowen, Leon County, president-elect; Lee Swift, Charlotte County, vice president; Candace Lankford, Volusia County, Treasurer; and Jeanne Dozier, Lee County, immediate past president.

"We are extremely excited about Beverly's election. It is well-deserved," said Dr. Wayne Blanton, FSBA executive director. Ms. Slough has held several offices with FSBA, including vice president and president-elect.

"I would like to thank you for the honor and privilege to serve as your next FSBA president," Ms. Slough said following her installation. "This association does a great deal to strengthen public education."

She will serve the association until June 2009.

"Leadership: Our Bridge over Troubled Waters," is Ms. Slough's theme for the next year.

During her acceptance speech, Ms. Slough pointed out



New FSBA officers installed

FSBA officers for 2008-09 were installed during the association's spring conference in Tampa in mid-June. From left: Jeanne Dozier, Lee County, immediate past president; Beverly Slough, St. Johns County, president; Joy Bowen, Leon County, president-elect; Lee Swift, Charlotte County, vice president; and Candace Lankford, Volusia County, treasurer.

some existing challenges facing school boards, specifically the tight budget adopted by this year's legislature and three constitutional amendment proposals that, for now, are on the November ballot but which, if they pass, could have severe long-term impacts on Florida's public school system.

All three amendments currently face challenges before the Florida Supreme Court. (See Dr. Blanton's column, page 4, for more information on the amendments.)

"We're facing some of our greatest challenges than we've faced in many, many years," she said. "Now is not the time for division but collaboration that will provide a force that will allow us to build that bridge."

In addition to the coming battles over the constitutional amendments, the association is gearing up for a long term fight over adequate funding. The first shot will be fired later this year when a law suit, spearheaded by FSBA but also including other education groups, will be filed in circuit court in Leon County. (See the Special Report in this issue of Leaders for more information on that legal challenge.)

"I look forward to the year ahead and meeting these challenges. Remember," she added, "I'm here for you, our (FSBA) staff is here for you."

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Special Report

FSBA, others to challenge state over inadequate funding

Leadership Calling

Technology awards presented

Three school districts were presented FSBA's Innovative Technology in Education awards during the association's Spring Conference in Tampa last month. These "best practices" honors were given to Suwannee, Lee and Hillsborough school districts for their "use of technology to increase efficiency, bolster school safety and improve student achievement."

Here are the projects that garnered these districts the awards:

Hillsborough (large district): The county's Instructional Planning Tool is a secure, online database that stores and disaggregates all available student data for use by district personnel at all levels. Data is delivered in real-time and is up-to-date. School Board members and district personnel have access to district, area, school, teacher, classroom, and individual student data. In a large, mobile district, it is important that student information and data follow a student from school to school within the district. As soon as a student is registered at a school within the district, all data on that student that has been collected within the county's databases is available to school administrators and resource personnel, such as guidance counselors, so the student can be registered for appropriate courses immediately.

Lee (medium district): Dunbar High School's Academy for Technology Excellence in Fort Myers is the first Microsoft certified high school in the nation. Students enrolled in the program will be prepared to excel in an information-based society. The program offers 9th-12th grade students hands-on computer based experiences taught by industry certified IT computer instructors. Students exiting these programs will be ready to either advance to the next level of formal education or directly enter the workforce and become a technical specialist, systems engineer, PC support technician, office end-user specialist, web designer, software developer, and more.

Suwannee (small district): In partnership with the state's new Office of Math and Science, Florida's Middle School Math Initiative is being implemented at Suwannee Middle School, Live Oak. Students in grades six through eight will be taught Gold Seal lesson plans in math, which includes using emerging technologies such as School Pad, 1:1 student laptop initiative, LCD, document projector, and digital video equipment.



Hillsborough County School Board was the technology award winner in the large district category. From left are: Steve Donovan, Collier County School Board, chair of FSBA's Technology Committee, Hillsborough County board members Jack Lamb, Carol Kurdell, Superintendent MaryEllen Elia, Susan Valdes and Doretha Edgecomb.



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FSBIT makes its mark

Phonetically, it's pronounced fiz-bit. It stands for the Florida School Boards Insurance Trust and its goal is simple: save school districts money with their insurance programs. It does that through another just-as-simple premise: group purchasing.

In this era of skyrocketing everything, it was probably a pleasant surprise that school districts which are FSBIT members saw their insurance premiums drop 25% from last year.

"We did this through prudent management of money, good safety programs and finding additional carriers (to spread out the risk)," explained Wayne Blanton, executive director of the Florida School Boards Association, FSBIT's parent.

Mark McKinney, FSBIT's director of risk management, said Dr. Blanton was looking for alternative options for school districts to purchase property and casualty insurance. Before FSBIT, districts would purchase commercially. While larger districts could exercise greater buying power, the mid- to

smaller-tier districts couldn't.

FSBIT currently has 10 school district members, a mix of small, medium and large districts, says Mr. McKinney. Those members are Osceola, Santa Rosa, Okaloosa, Lafayette, Taylor, Alachua, Citrus, Okeechobee, St. Johns and Suwannee. Besides property and casualty, FSBIT also provides workers compensation and general liability. The trust also offers special contingency insurance to provide protection in the event of Columbine-type incidents.



Mark McKinney

"We specialize in schools, that's all we do," says Mr. McKinney. "And with numbers comes greater buying power for our members."

That also means FSBIT could provide other kinds of insurance that an insurance company might not provide.

FSBIT's loss control service is also geared specifically to schools. "We're more familiar with what a school district needs than a typical insurance company might be," adds Mr. McKinney.

Why join FSBIT? Mr. McKinney ticks off several reasons:

- ✓ "Our trustees are very loss-sensi-



tive. They work to control losses.

✓ "We also have aggressive claims handling," he adds.

✓ But the most likely reasons? Paying less for insurance and seeing your premiums drop, not rise.

"As an arm of FSBA, we're a service organization continually looking for the best possible price and the best possible coverage to insure our districts are protected," says Mr. McKinney.

Another sign that FSBIT is meeting its members' needs: "Most of those mentioned have been with us since the beginning," says Mr. McKinney.

Taylor County, one of the smaller districts in Florida, has the same buying power as a large district, says Brenda Carlton, Taylor County School Board and FSBIT chair. "By pooling our assets with other districts, we all benefit from the combined purchasing power and share in the same rates," she adds.



St. Johns board members congratulate one of their own Beverly Slough, center, receives well wishes from fellow St. Johns County School Board members, who were on hand during her installation. From left: Bill Mignon, Superintendent Joseph Joyner, Ms. Slough, Carla Wright, and Tommy Allen.

More conference pictures

Legislative Review 2008

Broward County School Board member Beverly Gallagher, FSBA's Legislative Committee chair, was moderator of the 2008 Legislative Review during the association's spring conference in Tampa. The session featured input from many legislative liaisons discussing what did and didn't pass the 2008 legislative session, the tight budget that has led to a proposed legal battle over adequate funding and constitutional amendment proposals 5, 7 and 9 which education groups strongly oppose.



From the Executive Director

By **WAYNE BLANTON**



WAYNE BLANTON

Vote no on 5, 7, and 9!

That's likely to be our rallying cry over the next few months if we're unable to get these horrible amendment proposals kicked off the November ballot.

As you know, the Taxation and Budget Reform Commission, a body that meets every 20 years, came up with three amendments that would seriously impact public schools.

FSBA is involved in several coalitions which are attempting to get these amendments removed from the ballot, either because they violate the single subject rule or the 75-word limit.

For those who just came in, here's a brief summary of those three amendments:

Amendment 5 requires the Legislature to eliminate the Required Local Effort (RLE) property taxes as of Jan. 1, 2011 that are currently required under the Florida Education Finance Program. Revenue losses to public schools are supposed to be offset by the repeal of sales tax exemptions, a sales tax increase of up to one cent, and spending reductions.

This proposal specifically does not replace or eliminate the ad valorem tax millage dedicated to capital outlay purposes, voter-approved millage authorized in the constitution, or discretionary ad valorem millage for school districts authorized by law. However, the proposal does reduce from 10 mills to 5 mills the total amount of property taxes a school district can levy for these purposes.

Amendment 7 would delete a portion of Article 1, section 3 of the state constitution, commonly referred to as the Blaine Amendment, or "No Aid" provision. This portion of Article 1 provides that "no revenue of the state or any political subdivision or agency...shall ever be taken from the

public treasury...in aid of any church, sect, or religious denomination or in aid of any sectarian institution." The amendment would also insert a new sentence in place of the Blaine provision that states that "Individuals or entities may not be barred from participating in public programs because of religion."

Amendment 9 would amend Section 1 of Article IX of the state constitution and create a new Section 8. It proposes that the constitutional requirement for the state to provide a "uniform, efficient, safe, secure, and high quality system of free public schools" is a minimum duty. In other words, it's saying that the state's paramount duty for the education of all children need not be provided exclusively through public education. This would reverse legal precedent prohibiting public funding of private school alternatives to public school programs.

The second issue in this amendment would require at least 65% of school funding received by school districts be spent on classroom instruction, rather than administration. The proposal allows for flexibility in complying with the 65% threshold through consideration of necessary expenses such as transportation and food service. This proposal suggests that too much is being spent on administration, and not enough on classroom instruction.

A whole slew of organizations have signed on to the Amendment 5 fight, including educators, businesses, hospitals, broadcasters, accountants, nursing homes, and more. I cannot emphasize enough how strongly we oppose this amendment. It could lead to a \$6 billion gap in public education funding and I don't think any amount of sales tax increases or a reduction in the number of sales tax exemptions could make up the difference.

You simply can't trade RLE for sales taxes. It won't raise enough money. Property taxes have been a stable source of revenue for school districts. On the other hand, sales tax revenues, as illustrated by this year's shortfall, can fluctuate wildly.

A combination of education and business groups have also signed on to fight Amendments 7 and 9.

We're opposed to Amendment 7 because it will allow religious institutions to receive state vouchers. Amendment 9 would also allow vouchers. Since it includes a second issue, the 65% provision, I don't think voters will understand that when they pull the lever for 65%, they're also approving vouchers, something that polls have shown Floridians typically oppose.

Dr. Blanton is executive director of the Florida School Boards Association.

Upcoming Events

July 21-23

NSBA Southern Region Conference
New Orleans

Sept. 3-5

FSBA Board of Directors' Retreat
St. Augustine

Dec. 2-5

FSBA/FADSS/FSBAA/FEN/FERMA/FELL/SUNSPRA/
FASA Annual joint conference
Grand Hyatt Tampa Bay



Special Report

Education groups seek court action on state's failure to meet constitutional requirement to provide high quality system of free public schools

The board of directors of the Florida School Boards Association has voted unanimously to proceed with a lawsuit against the state of Florida, alleging the state is failing its constitutional requirement to provide a high quality system of free public schools.

The Florida Education Association has already voted to proceed and other organizations are being encouraged to do so.

In addition, the National Education Association has agreed to provide funding and legal assistance in bringing the suit. Requests for participation by other national organizations, such as the National School Boards Association, the American Association of School Administrators and similar groups will be sought.

What has forced educators to take this unusual step is that for the first time in memory, the State has shifted more than 50% of public school funding to local taxpayers in establishing the Required Local Effort (RLE) for participating in the Florida Education Finance Program (FEFP).

Plus, as a result of repeated budget cuts and diminished funding of public schools, it will be asserted that the State is failing to meet what the

people of Florida have said should be the state's "paramount duty."

The proposed legal action that will be filed in Leon County Circuit Court sometime in the next couple of months will claim that Florida has failed to meet its obligations under Article IX, Section 1 of the Florida Constitution which makes it "a paramount duty of the state to make adequate provision for the education of all children residing within its borders."

Further, the Constitution says that "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..." The lawsuit intends to evaluate inputs and outcomes, such as sufficiency of resources allocated to public schools and results obtained to support the assertion that the system is operating unconstitutionally.

It also must be noted that when Florida outcomes—such as graduation rates, test scores, and other objective measures—are compared to national performance measures, Florida continues to perform below the "high quality" standard required by the constitution, though largely as a result of the implementation of class size reduction,

"This adequacy lawsuit calls on the state to meet its responsibility to our students."

some positive progress is being made in the elementary school grades.

In 1996, the Florida Supreme Court, in a case initiated by Florida's school boards (the Coalition for Adequacy and Fairness in School Funding, Inc. v. Chiles) determined that the language which then appeared in Florida's Constitution failed to provide standards defining what "adequate provision" was. In response, the 1998 Constitutional Revision Commission (CRC) proposed language which was overwhelmingly adopted by the electors, defining the term. That is the language in the present Constitution.

"Florida has abdicated its responsibility to provide funding for a uniform public education for her children," said new FSBA President Beverly Slough, St. Johns County School Board. "This adequacy lawsuit calls on the state to meet its responsibility to our students. FSBA, in collaboration with other groups across our great state, is standing up for our children in moving forward with this legal proceeding."

The lawsuit is being brought "because of the severe budget cuts being implemented by school districts due to the lack of funds provided by the Florida Legislature," added FSBA President-Elect Joy Bowen, Leon County School Board. "Under the current budget restraints, school boards cannot do their part to provide for a high quality education system" as mandated by Florida's Constitution, she added.

While it is hoped that materials will be ready for a September, 2008, filing of the lawsuit, "the parties bringing it are committed to getting it right, not necessarily fast," said Tallahassee attorney Ron Meyer, lead counsel in the proposed litigation. "Accordingly, judgments will be made as

to when the litigation is ready to file and when the most opportune time for filing arises."

The assessment of the criteria to bring the case is underway now. Expert witnesses are being screened for retention. Data comparing Florida to other states is being compiled.

"The final chapter of the litigation will not be written until the Florida Supreme Court ultimately reviews lower court decisions which are rendered," Mr. Meyer said.

"Asking the Florida Courts to compel the state to live up to the obligation established by the people of Florida in the Constitution is essential if Florida's school children

are going to be properly prepared to compete in a world economy," said FSBA Executive Director Wayne Blanton.

"One has to ask whether the state is meeting its 'paramount duty' to establish and maintain a 'high quality' system of free public schools," Dr. Blanton added.

The Florida Supreme Court a couple years ago, in *Holmes v. Bush* (which found the school voucher program unconstitutional), noted that vouchers for children in failing schools "are antithetical to and forbidden by" the constitutional requirement that the state provide a "high quality system of free public schools," said Mr. Meyer. "Accordingly, by providing vouchers, the State is admitting its failure to provide such a system."

He added: "Litigation of this nature is complex and can be time-consuming. However, the importance of the outcome—compelling the State to provide and maintain a 'high quality system of free public schools'—is worth the effort."

"One has to ask whether the state is meeting its 'paramount duty' to establish and maintain a 'high quality' system of free public schools."
