

# **FLORIDA SCHOOL BOARDS ASSOCIATION, INC**

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## **2013 FSBA LEGISLATIVE PLATFORM**

### ***PRIORITIES FOR THE 2013 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:

- ✧ Revise Florida's assessment and accountability system to provide a fully transparent and independent evaluation of the system; to include data from multiple forms of assessment; to eliminate the practice of using student performance on standardized tests as the primary basis for teacher, administrator, school, and district performance evaluations; to phase in revisions and hold students, teachers, schools, and districts harmless during the phase in period; and to ensure that the system, including the local development of assessment instruments, is fully funded by the state;
- ✧ Support constitutional and statutory provisions that prohibit the state from mandating or assigning any new, existing, 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, enrollment growth, inflationary increases, competitive salaries and benefits for effective personnel, and modern, safe, and secure facilities;
- ✧ Restore the local authority to levy up to 2.0 mills for capital outlay purposes and maintain the local school board authority regarding the disposition of revenue generated by these funds;
- ✧ Restore adequacy and equity in the distribution of PECO funding to traditional public schools and charter schools;
- ✧ Commit to funding, in addition to the FEFP, to fully fund technology needs, including funds necessary for infrastructure, hardware, software, training, online testing, virtual instruction, digital textbooks, data management, and other technology needs;
- ✧ In compliance with Article IX, Section 4, 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; and
- ✧ Oppose any so-called "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.

## **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 state funding responsibilities to school districts. In support of these beliefs, FSBA urges the legislature to:

- ✧ Oppose any disproportionate cut to K-12 education as compared to the rest of the overall state budget;
- ✧ Restore the authority for school boards to levy, by simple majority vote and without a referendum, an additional .25 mills for critical operating or capital outlay needs, or both;
- ✧ Fully fund all elements of the Florida Education Finance Program (FEFP);
- ✧ Fully fund student transportation and provide that the calculation of state funding for secondary student transportation to be based on 2 students per seat, rather than 3 students per seat;
- ✧ 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 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;
- ✧ Preserve funding for Advanced Placement and International Baccalaureate Programs;
- ✧ Implement an adequate statewide funding system, based on performance and accountability measures, for workforce education programs at the middle school, high school, and technical/career center level, including an enhanced program cost factor for for grades 6-12 career education in the FEFP;
- ✧ Fully fund the dual enrollment programs, maintain the current delivery system that allows the local school district and local community college to offer adult education programs, and repeal the authorization for community colleges to limit student access to courses;
- ✧ Continue to authorize co-enrollment funding for high school students who are deficient in credits needed for graduation or who need to improve their cumulative grade point average and repeal restrictions limiting student eligibility for co-enrollment;
- ✧ Ensure that PreK funding and pupil/teacher ratios are consistent with federal guidelines and recommendations of the Florida Children's Movement
- ✧ Expand the allowable use of locally voted sales tax to include operating expenses;
- ✧ 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;
- ✧ Increase the rate and expand the base of the Gross Receipts Utilities Tax to enhance available state PECO funding; 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.

## ***ASSESSMENT AND ACCOUNTABILITY***

FSBA fully supports assessment and accountability systems 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, and accurately reflect student progress and achievement. Toward this end, FSBA urges the legislature to:

- ✧ Provide the parent or guardian of any public school student the ability to have their child “opt out” of participating in the statewide assessment system;
- ✧ Modify the current assessment system so that students are assessed for proficiency and the progress made from the beginning to the end of the same school year and ensure that assessment results are returned promptly to students, parents, and teachers for diagnostic 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;
- ✧ Ensure that students served in English for Speakers of Other Languages (ESOL) programs are sufficiently fluent in English before taking statewide assessments in English;
- ✧ Authorize alternate methods for assessing learning and achievement for special populations such as populations of students enrolled in Exceptional Student Education (ESE) and ESOL programs;
- ✧ Ensure that End-of-Course (EOC) exams comprise no more than 30% of the student's grade;
- ✧ Repeal any provisions that require passage of any EOC exam for course credit, course funding, promotion, or graduation;
- ✧ 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 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;
- ✧ Repeal statutory requirements regarding Supplemental Education Services and provide flexibility for school districts to determine the most appropriate model to provide these, and similar, services;
- ✧ Allow for paper and pencil testing options for all high school assessment requirements;
- ✧ 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;
- ✧ 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 provide flexibility for school districts to align required courses to courses needed in career academies; and
- ✧ 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.

## ***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, performance pay, evaluation systems, 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 in lieu of the single process provided by the Student Success Act and provide additional state funding for this purpose;
- ✧ Extend the deadline for the implementation of student assessment requirements of Student Success Act that are tied to teacher and principal evaluations and the performance pay salary schedule until after transition to PARCC;
- ✧ Reduce the weighting of the student learning growth component to no more than 25% of a teacher's evaluation;
- ✧ Exempt instructional personnel whose students do not take a valid state assessment from the student learning growth component of the evaluation system;
- ✧ Include classroom and school level demographic variables that address variations between student populations in the Value Added Model (VAM) calculation for teacher evaluations;
- ✧ Generate VAM scores on the Comprehensive English Language Learning Assessment (CELLA) so that ESOL teachers may be evaluated accordingly;
- ✧ Provide funding to reinstate the bonuses to the National Board Certified Teachers under the Excellent Teaching Program; and
- ✧ Amend statutes to allow retired teachers to substitute teach during their first year of retirement and collect their retirement benefits.

## ***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. To achieve this, FSBA urges the legislature to:

- ✧ Continue the flexibility to use local capital millage to pay property and casualty insurance premiums;
- ✧ Allow revenue derived from the local capital outlay millage to be used to cover the cost of technology software required to run the equipment purchased from capital dollars;
- ✧ Further develop criteria for facilities needs with special attention to needs in small counties;
- ✧ 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 – 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. To ensure that school choice options present academically sound opportunities for student success, FSBA urges the legislature to:

- ✧ Provide for a local school board to have 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 with respect to Class Size requirements, selection of students, release of students from school, facilities standards, tax exemptions, use of categorical funds, financial transparency and ethics, and establishment of high performing status;
- ✧ 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;
- ✧ 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;
- ✧ Expand the statutory causes for nonrenewal or termination of a charter school to include the “academic welfare” of students;
- ✧ Provide for financial oversight by the sponsor for the expenditure of public funds and disposition of property purchased with public funds by a charter school upon notice of nonrenewal or termination of a charter school;
- ✧ Allow districts to claim up to .4 FTE per student for virtual education and allow virtual education reporting of FTE in all reporting periods for total 12 month FTE limit of 1.0;
- ✧ 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;
- ✧ Lift the eligibility limits for district virtual course offerings and open virtual enrollment to any Florida student entering kindergarten;
- ✧ Allow district operated virtual schools the same funding flexibility as the Florida Virtual School;
- ✧ 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;
- ✧ Close the funding loophole that allows private and non-traditional public schools to enroll a student long enough to receive FTE funding and then dismiss the student, resulting in the district receiving the student without state funding.

## ***LOCAL CONTROL 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:

- ✧ 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;
- ✧ Oppose further micro-management of district fiscal resources including any program that puts an arbitrary cap on district instructional, noninstructional, or administrative expenses;
- ✧ Propose a constitutional amendment for the 2014 ballot 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.

## ***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;
- ✧ Increase the E-Rate cap to meet demonstrated need, adjust the cap annually to keep pace with inflation, and refrain from adding new eligible services to E-Rate;
- ✧ Provide adequate funding for Enhancing Education Through Technology and other programs that help school districts improve digital learning, assessment, and teaching;
- ✧ 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.