

PROPOSED
FSBA 2017 Legislative Platform

[NOTE: An asterisk () indicates that the same or a similar item was included in the 2016 Platform]*

The Florida School Boards Association (FSBA) submits this 2017 Legislative Platform to assist the Legislature in fulfilling its paramount duty to provide for a uniform, efficient, safe, secure, and high quality system of free public schools that allows students to obtain a high quality education.

ASSESSMENTS & ACCOUNTABILITY

Assessment and accountability measures that are designed to support and enhance student learning. Collaborative efforts that include education stakeholders such as parents, teachers, and district leaders must continue to ensure Florida's accountability system is valid, reliable, recognizes individual student learning styles, and accurately reflects student progress and achievement. Toward this end, FSBA urges the Legislature to:

- 1.* Halt the practice of using statewide standardized test results for any purpose other than diagnostic purposes.
2. In advance of pending Congressional changes to the ESEA, use 2017 to revise Florida's accountability system into a reasonable and effective state program that measures and promotes student achievement in a manner that is valid, reliable, fair, funded, consistent with federal law, and does not exceed ESSA requirements; flexibility for accountability measurement, test selection, and administration should be provided to school districts, particularly at the high school level.
[Similar proposals also included specific reference to state alignment with federal law in the Every Student Succeeds Act (ESSA) with regard to teacher/educator evaluations and/or noted that ESSA requires testing in grades 3-8 and ONCE in high school.]
3. Hold students, teachers, and schools harmless until an appropriate baseline for performance is established, but not earlier than the 2017-18 school year.
[The FSBA Platform Committee suggested that there should be clarity as to the specific sanctions that the "hold harmless" protection would apply.]
4. Revise Florida statutes and related rules regarding 3rd Grade retention to:
 - Provide clearly defined alternative pathways for student promotion or retention with a more balanced approach that considers both assessment results and local evidence of student performance;
 - Ensure that the final decision on eligibility for student promotion or retention is made at the local level;
 - Ensure that student promotion or retention is not dependent upon, or denied by, a single assessment result.*[Similar proposals contained one or more of the three items specified above.]*
5. Require the State Board of Education and commissioner to study the alignment of national assessments to Florida's standards and establish concordant scores so that districts may use the national assessments in lieu of FSA at for all grade levels.
[Similar proposals listed specific national assessments such as ACT and SAT.]
6. Change the state's required assessment schedule so that FSA and EOC exams are given in May and results are available to students, parents, teachers and school personnel before the end of the school year.
[Similar proposals recommended overlapping state testing windows for greater efficiency.]

7. Reduce the number of elementary schools required to provide an extra hour of intensive reading instruction from 300 to 100 and provide districts flexibility in how the extra hour is scheduled and provided to best meet student needs.
8. Grant Level 3 and 4 students at the Lowest 300 schools the same choice currently authorized for Level 5 students regarding participation in the additional hour of intensive reading instruction.
9. Authorize alternate methods for assessing learning and achievement for special populations such as ESE and ELL students, including:
 - Set goals for ELL and ESE subgroups based on achieving learning gains versus achieving proficiency;
 - Provide Florida's statewide assessments in multiple languages to ELLs that have received instruction for less than three years as allowed by federal regulations;
 - Provide a waiver from the passage of the English Language Arts (ELA) requirement for ELLs that have passed all other high school graduation requirements and have been enrolled in school less than two consecutive years;
 - Include the performance of ELL students enrolled in school for more than two years for accountability on the FSA.
10. Support a flexible approach to teacher accountability that provides a meaningful evaluation of teachers, including the elimination of the Value Added Model (VAM) component OR the local flexibility to use either the VAM score or the Percent Meeting Expectation (PME) score as the student performance component, with the DOE directed to align the rating distributions of the PME with the VAM to eliminate any significant percentage differences of teachers in each rating category.

EDUCATION FUNDING

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 objectives, FSBA urges the Legislature to:

- 11.* Provide sufficient per student funding to place Florida in the upper quartile nationally and ensure that funding for each categorical allocation within the FEFP is sufficient to cover actual costs, growth, and inflation, and is not reduced by either enrollment or revenue changes during the fiscal year.
12. Hold the current RLE constant in order to allow school funding to benefit from increasing property values, rather than imposing the roll-back rate for the RLE.
13. Develop and implement more realistic estimates of projected growth in student populations to reduce the incidence of mid- and late-year funding reductions and establish a contingency amount from non-recurring funds to be used to cover any proration that occurs in the FEFP due to an increase in student enrollment over projections.
14. Increase the Base Student Allocation (BSA) for by at least 5% annually.
[Similar proposals recommended an increase in the BSA to meet the national average or to meet pre-recession levels.]

15. Restore funding for all FEFP categoricals to the 2007-08 pre-recession levels as adjusted for growth and inflation.
[Similar proposals specified certain categorical programs such as funding for instructional materials, Safe Schools, and transportation.]
16. Change the funding formula for student transportation so that the calculation is based on two students to a seat rather than the current three students to a seat.
17. Support an increase in the Digital Classroom Allocation that will allow school districts to improve their infrastructure and provide digital devices to support instruction and improve delivery of state assessments, so that every student can take them at the same time.
18. Fully fund the categorical program for the 300 lowest performing elementary schools.
19. Restore funding for courses beyond a base 6-period/1.0 FTE day, including virtual education, dual enrollment, and college tuition/administrative charges for dual enrollment, so that students can meet requirements for advanced study and industry certified programs without financially penalizing school districts.
20. Eliminate the arbitrary cap on the number of gifted high school students funded.
21. Increase the level of funding for Voluntary Pre-Kindergarten (VPK) programs to meet the original intent of Florida's constitutional amendment that would allow full funding for a full day for all the state's 4-year-olds.
22. Provide adequate funding systems to address behavioral and mental health.
23. Support the identification and/or dedication of new or existing state funding for K-12 public schools, which supplements and does not supplant current funding.

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 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:

24. Return the ESE Integrated Certification for Middle Grades.
25. Decrease the cost for the General Knowledge Test and allow a retake at no additional cost.
26. Provide targeted funding in both K-12 and higher education to foster the pipeline of needed high quality educators as well as the ability to recruit and retain a high quality educator workforce to address the growing teacher shortage in the state and nationally.
27. Allow school districts to re-employ teachers, other instructional personnel and substitute teachers who are certified in a "critical shortage" field after one month of retirement without penalty to the employee's pension.
28. Support local decision making for the assignment of teachers to schools that are negotiated through the collective bargaining process.

FACILITIES & PLANNING

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:

- 29* Restore the authority for school districts to levy, by simple majority vote, up to 2.0 mills for capital purposes, and maintain the current authority of school districts to determine the use of local capital outlay millage revenue.
[Similar proposals recommended a super-majority vote and flexibility to use some of the revenue from the increased millage authority for operational purposes.]
- 30. Identify new and/or enhanced state revenue streams for public school construction, remodeling, upkeep and maintenance, including A/C systems, school bus replacement, life-safety, and classroom technology.
- 31. Ensure that appropriate and reasonable maximum per student station cost limits are established for the construction of new schools that account for the variance of construction costs in different local areas across the state, especially school districts located in coastal regions with higher normal costs of construction.
- 32. Support greater school board oversight of how capital construction dollars are utilized including renovations of schools and related facilities supported by localized data.
- 33. Provide state funding to enable districts to enhance career academy and adult education capital needs.
- 34. Allow district flexibility from SREF through a SBE waiver process

SCHOOL CHOICE OPTIONS

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 authority and uniform accountability. To ensure that school choice options present academically sound opportunities for student success, FSBA urges the Legislature to:

- 35*. Protect taxpayer dollars by ensuring all schools receiving state funds adhere to the same fiscal and academic accountability measures.
- 36. Repeal s. 1002.31(2)(f), F.S., which guarantees that students from other school zones and counties may to attend a school to which they transferred through the highest grade for the school, to eliminate the conflict with s. 1002.31(2)(e), F.S., which states that students residing in the district, including charter school students, may not be displaced by a student from another district seeking enrollment under the controlled open enrollment process.
- 37. Oppose any additional changes to the current controlled open-enrollment law that would impede school districts' authority over student enrollment.
- 38. Clarify s.1002.33, F.S., that constitutional school boards have the same authority over approval and oversight of charter schools as for district schools.

39. Oppose any mandated distribution of local capital outlay millage funds to charter schools without school board approval and without the requirements for fiscal accountability and expenditure controls including the need for capital outlay purposes only.
40. Specifically enumerate the school district oversight responsibilities and allow districts to recover actual costs from FTE allocations.
41. Require a charter school to return any and all public funds, excluding the Charter School Planning Grant funds, to the sponsor upon the charter school's election of any deferral of opening the charter school; such funds must be returned at least 30 calendar days before the first day of school for the year following the submission of the charter application; failure to do so will result in the automatic good cause revocation of the charter agreement.
42. Restrict approval of charter applications to a specific academic or space (niche) need which the local school district does not or cannot meet or if the district determines the application to be in the best interest of students.
43. Amend Florida statutes to allow school boards with at least 10% of student enrollment in charter schools to analyze the need for additional charter schools and/or require new charters to locate in areas to address overcrowding, provide choice opportunities to students/parents zoned to failing schools, or meet a specific academic need the school district is not addressing.
44. Require charter schools to submit to the school district required facility occupancy and use documentation by the 30th day prior to the first day of the school year and, if unable to meet the deadline, the school may default to an automatic deferral and planning year.
45. Support legislation that enhances racial and ethnic balance of charter schools and ensures opportunity and access by requiring charter schools to weight low-income and educationally disadvantaged applicants in admissions lotteries and by requiring enrollment policies and practices to be public and/or transparent and auditable.
46. Support greater school board contractual oversight of charter schools including statutory causes for nonrenewal or termination of charters based on the "academic welfare" of the students.
47. Require proof of minimum financial reserves that may include a performance or similar surety bond at the time of application sufficient to cover the first year's operations, and facilities certified for occupancy at least two weeks before opening day.
48. Amend s. 1002.395(5), F.S., by deleting reference to automatic 25% increase in the tax credit cap amount, but allowing annual adjustments so that the section would read as follows:

(5) SCHOLARSHIP FUNDING TAX CREDITS; LIMITATIONS.—

(a) The tax credit may be adjusted annually based on current utilization of the tax credits and scholarships, in addition to revenue projections of the funding sources.

LOCAL AUTHORITY & GOVERNANCE

Locally elected school boards are 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:

- 49.* Provide funding to pilot a System of Care program to provide comprehensive, community-based services to high-risk youth and their families with the goals of reducing school disciplinary issues and juvenile arrests and boosting academic achievement and graduation rates.
- 50. With regard to Division of Administrative Hearings, require that the burden of proof shall be upon the sponsor and the standard of proof shall be whether the preponderance of the evidence supports the grounds for the sponsor's proposed action.
- 51. Give flexibility to school boards to have specific statutes waived for a specified period of years, approvable by the Governor or State Board of Education, that are not in conflict with life-safety or other federal requirements and which can be demonstrated by the district as unnecessary, ineffective or a hindrance, or where the district can be more effective than current law in improving student performance.
- 52. Give districts at least a full school-year implementation period in order to accommodate necessary planning and changes to state and local rules.
- 53. Oppose legislation that subverts district governance of constitutionally elected local school boards and elected or appointed superintendents