



# FLORIDA ASSOCIATION OF DISTRICT SCHOOL SUPERINTENDENTS

## **2015 LEGISLATIVE PLATFORM**

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### **INTRODUCTION**

The Florida Association of District School Superintendents is the professional organization comprised of Florida's 67 public school superintendents. As constitutional officers, Florida superintendents have a responsibility to meet the education needs of Florida's diverse and growing population of more than 2.7 million students enrolled in Florida's public school system. Florida superintendents support increased rigor and academic standards that are data-driven with the goal of providing every student the same opportunity for educational excellence.

High quality public schools are critical to Florida's continued economic recovery and growth. To that end, Florida superintendents support a high quality public school accountability system that:

- Graduates students prepared for careers and postsecondary education,
- Promotes student learning and academic performance,
- Supports a teacher and school-based administrator evaluation system that is fair and based upon student achievement and professional practices, and
- Is fairly and efficiently funded to fully implement all required legislative mandates and Florida State Board of Education (SBE) rules.

### **LOCAL DECISION-MAKING**

Florida superintendents hold fast to the principle that local decision-making is fundamental to establishing, implementing and operating sound education programs for students. Superintendents – working in concert with locally elected governing boards – know their communities well, and are empowered to set educational priorities for their school districts to meet the educational needs of their students. Superintendents and their local school boards are accountable to their communities.

### **FLORIDA'S ACCOUNTABILITY SYSTEM**

There has been much change in the overall accountability system, including school grades. These changes and accompanying timeline have created circumstances that raise serious concerns among school superintendents. This current school year, 2014-2015, school districts must:

- Fully implement Florida State Standards across all grades and subjects.
- Administer the new Florida Standards Assessment.
- Require all students in grades 4-11 (rather than just grades 4, 8 & 10) to take the writing portion of the English/Language Arts assessment.
- Require 11<sup>th</sup> grade students to take the English/Language Arts assessment even though passage of the 10<sup>th</sup> grade assessment is already a high school graduation requirement for 10<sup>th</sup> grade.
- Develop and implement Local Assessments (End of Course or EOCs) to measure student performance in grades and subjects not covered by a statewide assessment.
- Implement a new school grading system.
- Implement a new salary schedule incorporating student performance as a major component of compensation.
- Implement, a year earlier than originally slated, the requirement that 50 percent of the annual instructional materials allocation be used to purchase digital or electronic instructional materials.
- Expand the use of technology in the classroom and for online assessments without having the required infrastructure or devices.

## THE 2014 LEGISLATURE RESPONDS

The 2014 Legislature recognized the challenges faced by Superintendents and school districts and provided some relief by:

- Adopting the Florida State Standards in statute.
- Maintaining the requirement to implement EOCs, yet authorized local teacher-selected or principal-selected assessments in limited circumstances.
- Adopting a Simplified School Grades calculation based on defined components, each worth 100 points.
- Requiring the SBE to include the performance of English language learners in the school grading calculation only if they have been enrolled in a school in the United States for more than 2 years.
- Maintaining school grades, yet authorized the 2014-2015 school grades to serve as an informational baseline. Therefore, specific penalties will not be imposed on schools and districts based upon school grades.
- Authorizing, for the 2014-2015 school year only, the use by districts of measurable learning targets on local assessments to evaluate performance on the student portion of a classroom teacher's evaluation for courses that are not assessed by state wide, standardized assessments.
- Appropriating \$40 million for technology and the statutory authority to appropriate up to one percent of the Florida Education Finance Program (FEFP) calculation for technology.

## CHALLENGES REMAIN

### FLORIDA STATE STANDARDS

Superintendents strongly support the Florida State Standards in English Language Arts and Mathematics. Districts are expected to fully implement the new standards this school year (2014-2015). Since 2011 school districts have implemented three different sets of education standards adopted by the Florida Legislature and implemented by the Department of Education: (1) Next Generation Sunshine State Standards, (2) Common Core Standards, and (3) the recently adopted Florida State Standards. Only grades K-2 have benefited from comprehensive implementation of the new standards, while the remaining grades have seen a blend of the old and new standards. Full implementation throughout all grades is a multi-year effort of intense teacher professional development, coupled with the adoption of curriculum and instructional materials that are accurately aligned with the new state standards.

### THE NEW FLORIDA STATE ASSESSMENT AND STATEWIDE, STANDARDIZED END OF COUSE EXAMS

The new statewide assessment must be aligned to the Florida State Standards and produce accurate, timely results. The American Institutes for Research (AIR) was selected to develop and deliver the new Florida Standards Assessment (FSA). The new assessment has already been criticized for not initially being field-tested in Florida, but instead relying on field testing in Utah. The new assessment, the first administration scheduled for spring 2015 is untried, untested, and a big unknown for students, teachers and parents. Fortunately, the Legislature recognized this by holding in abeyance specific penalties and adverse consequences on schools while maintaining school grades. Yet, challenges remain:

- The time needed for teachers to administer and students to take the new statewide assessment is a concern for parents, teachers and Superintendents. The time required of students to sit for the test must be reasonable for the age of the student, and the impact on instruction must also be taken into account. A test that may last from 6.5 to 7.5 hours is too long, particularly for elementary students, even when spread over multiple days.
- All statewide assessments will be administered online or computer based, and there is an inherent assumption that all students have the computer literacy skills to successfully take the assessments online. Being familiar with technology does not translate into being successful in taking a high-

stakes assessment online. The new Florida Standards Assessment will require students to compose essays using word processing skills. The math portion will require additional computer skills. Students must be computer literate, yet word-processing skills and training have not been emphasized. The focus has been on teaching the new standards. This is one more reason a more realistic and practical transition period to the new system is critical.

- Meeting technology requirements will be a challenge including specifications for hardware, software, networking, security, and broadband capacity to facilitate school districts compliance with the requirement that statewide, standardized assessments be administered online. A “model classroom” for technology with detailed technology specifications should be identified by DOE that can provide some structure and consistency for districts and provide parameters for funding at the state level.
- Full implementation of online assessments must occur only after the technology infrastructure, connectivity, and capacity of *all* public schools and districts have been load tested and independently verified as ready for successful deployment and implementation. The technology infrastructure of all public schools and districts that administer statewide standardized assessments, including online assessments, must similarly be load tested and independently verified (see s. 1008.22, F.S. footnote). The administration of all assessments using paper and pencil must be available when the technology is not sufficient or fails.

### **DISTRICT DEVELOPED END-OF-COURSE EXAMS (EOCs)**

School districts are required to measure student performance in all subjects and grade levels, except those subjects and grade levels measured by statewide assessments. Beginning with this 2014-2015 school year, each school district must administer for each course a student assessment that measures content mastery. This includes all subjects and grade levels – Kindergarten through 12<sup>th</sup> Grade. Such assessments may include statewide assessments, other standardized assessments, industry certification examinations, district-developed or selected end-of-course assessments, and teacher-selected or principal-selected assessments. (see s. 1008.22(6), F.S.)

Superintendents support the use of EOCs in subjects and grade levels for which they are educationally appropriate and can meaningfully be used to measure student performance as well as be used as one means of evaluating the performance of teachers. However, school districts have not been able to utilize the implementation criteria afforded the Commissioner of Education in developing an assessment implementation schedule.

According to s. 1008.22(3)(d)1., F.S., “*The Commissioner ... shall establish and publish on the department’s website an implementation schedule to transition from the statewide, standardized Reading and Writing assessments to the ELA assessments and to the revised Mathematics assessments, including the Algebra 1 and Geometry EOC assessments. The schedule must take into consideration funding, sufficient field and baseline data, access to assessments, instructional alignment, and school district readiness to administer the assessments online.*”

It is true that some provisions for local assessments have been in place for a period of time, and the Legislature gave school districts some relief this year by authorizing the use of teacher or principal selected examinations. However, several factors have worked against districts in being able to bring these EOCs to fruition including: changing standards, a deep recession that limited funds to apply these EOCs to development of EOCs, delay in the development of a statewide item bank, and the overwhelming number of EOCs that must be developed – up to 1200 or more per district. There must be a better, more educationally sound and manageable way to develop and implement local EOCs.

#### ***District Developed EOC Recommendations:***

- The Legislature should modify the requirement to develop an EOC for those courses and grade levels not covered by a statewide assessment. Districts should have the flexibility to utilize

national assessments, the reading and/or mathematics component of the Florida Standards Assessment, performance benchmarks and other measures, in lieu of a course and grade specific examination for all courses and subjects in Kindergarten through 12<sup>th</sup> Grade. For example, developing EOCs for Kindergarten and elementary school students in subjects such as social studies and science is not educationally useful and is a waste of limited public resources.

- The Department of Education should continue developing and implementing a comprehensive test item bank for districts to use for local assessments. To date, the unified effort of the Department of Education has not provided a solution to this problem, nor has the need been met. A statewide, coordinated effort that is aligned to the Florida State Standards is the best approach and should be continued.

## **TEACHER EVALUATION/PAY FOR PERFORMANCE**

Teacher and administrator evaluations tied to student academic performance is a powerful tool for guiding instruction and demanding changes in curricula. Herein lies the difficulty. A personnel evaluation process that mandates a compensation schedule derived from an assessment system is a hindrance to effective instructional performance when the assessment system is not fully developed. Fair and effective implementation of an evaluation system will not be successful, and will ultimately fail, when the system lacks: performance standards with stability over time, proper field-testing of the examinations that will be used, effective professional development, and widespread and timely availability of the instructional materials necessary to insure student access to the content to be assessed.

Superintendents support the use of student performance in the calculation of a teacher's evaluation but only when the assessment system used to evaluate student performance is reliable and validated. The current state and local assessment system, including the problematic development of EOCs, does not provide a reliable and valid system solid enough to measure a teacher's performance. Given that the law requires that at least 50 percent of teachers' evaluations, and a substantial portion of teacher compensation be contingent on student performance as measured by state and local assessments, an appropriate standard of care should be applied. Instead, teachers feel they are being force-fed a plan that is flawed and is not trusted.

In light of the complexities of the transition to the new Florida State Standards and the new Florida Standards Assessment just recently adopted in spring 2014; the 2014 Legislature wisely held in abeyance certain adverse consequences for schools. However, no such provisions were made regarding the impact upon teachers and administrators. A transitional solution is recommended for the evaluation and compensation system.

### ***Teacher Evaluation/Pay for Performance Recommendations:***

- The full implementation of the evaluation and compensation system should be held in abeyance for the 2014-2015 school year and the Commissioner of Education given the authority to extend it through the 2015-2016 school year if deemed necessary.
- In a time of transition to the new standards and assessment, school districts must implement an evaluation instrument that measures performance, but should have flexibility. The performance segment should not be totally dependent on an assessment but should also include other indicators.
- A modification of the percentage of the evaluation based on performance should be considered. For example, a multi-year phase-in process could be used. For the first year, 15 percent of the evaluation could be based on performance, 25 percent for the second year, and the third and subsequent years could be 30 percent of the evaluation based on performance. The 30 percent standard is consistent with the percentage of a student's total course grade that the Legislature determined should be based solely on a student's performance on one specific day on a single statewide EOC examination.

## TRANSITION TO A NEW GRADING SYSTEM

The 2014 Legislature simplified the School Grading System by awarding up to 100 points for each component which includes student performance on the Florida Standard Assessment, learning gains for the lowest 25 percent of students, and acceleration and graduation rate for high schools. New focus must be paid to higher performing students in order for them to continue to achieve. In addition, the performance of English language learning students will only be included in the school grading calculation if they were enrolled in a school in the United States for more than 2 years.

School grades were not held in abeyance during this time of transition from FCAT 2.0 to the Florida Standards Assessment. After the first administration of the Florida Standards Assessment in spring 2015, the required standard-setting process will be conducted in the summer of 2015 in order to set performance level expectations, commonly referred to as “cut scores.” This will provide a new baseline for school grades and other accountability measures. School grades will then be calculated and released in the fall of 2015.

Calculating school grades utilizing the new Florida Statewide Assessment is, at best, unrealistic and at the most, misleading. The new assessment is unproven. It is difficult to imagine how teachers and administrators can be held accountable for an unknown assessment. It is easy to respond with – “just teach the standards and all will be well.” However, this assessment is “high stakes” for students and teachers alike. Promotion and graduation for students are based on performance on the new assessment. Evaluation and compensation for teachers are based on the performance of students on the assessment.

A crucial question is the availability and adequacy of technology to successfully administer the assessment. The state and school districts may have the best technology plans possible, but if the infrastructure, connectivity, and capacity of *all* public schools and districts is not consistent across the state, student performance will be affected which undermines the validity of the assessment as well as potentially penalizing students and teachers. Just as important is whether students have sufficient computer literacy skills to successfully tackle a new statewide, high stakes assessment administered online. It is one thing to have the knowledge that is being assessed and quite another to be comfortable with the online assessment tool.

Florida’s teachers and students are in transition from old to new Florida State Standards; in transition from FCAT 2.0 to the Florida Standards Assessment, in transition from a paper and pencil assessment to online assessment; in transition from the old to the new grading system. *If this is truly a baseline year, then issuing school grades is not practical.*

### ***School Grading System Recommendations:***

- The administration and results of the new Florida Standards Assessment must be reviewed and adjustments be made to ensure that a fair, valid and reliable administration is ready for the 2015-2016 school year.
- Full implementation of online assessments must occur only after the technology infrastructure, connectivity, and capacity of all public schools and districts have been load tested and independently verified as ready for successful deployment and implementation. The technology infrastructure of all public schools and districts that administer statewide standardized assessments, including online assessments, must similarly be load tested and independently verified. The administration of all assessments using paper and pencil must be available when the technology is not sufficient or fails.
- The Department of Education should develop a comprehensive public information campaign that informs the public about the new Florida Standards Assessment and the new accountability system.
- The Florida Legislature should hold school grades in abeyance for the 2014-2015 school year and the Commissioner of Education given the authority to extend it through the 2015-2016 school year.

## IDENTIFY NEEDED MODIFICATIONS IN NCLB WAIVER

The Florida DOE should work with the United States DOE to modify any waiver that is impacted by these changes in Florida's accountability system, particularly as it relates to English Language Learners. A delay in the timeline for full implementation should also be negotiated along with a modification of the timeline in state statute. Education Secretary Arne Duncan has stated that states can apply for extra time before they use student test scores to judge the performance of teachers. This is an acknowledgement of the concerns of Superintendents and others that it is too early to make personnel decisions based on performance on new assessments.

## IMPACT ON EXCEPTIONAL STUDENT EDUCATION (ESE) STUDENTS

All students with disabilities participate in the statewide assessment program including the Florida Standards Assessment and EOCs. The educational standards for ESE students must be rigorous and, at the same time, take into account the challenges these students and their parents face. The state accountability system must not be structured in a manner that could potentially hinder their success. In addition, the school grading system must fairly reflect the performance of these students.

### ***ESE Recommendations:***

- The accountability system and applicable grading system should be structured as to ensure that ESE students take assessments that best reflect their achievement level; not the age appropriate grade level.
- Students with disabilities who participate in publically funded scholarship programs should be required to participate in and take the assessments that would otherwise be taken if the student were attending a public school. Parents have a right to know whether their children are succeeding in the educational choices they are making. In addition, the taxpayer must be assured that their funds are being expended in an accountable manner.
- The Legislature modified the accountability system to accommodate ESE center schools. Formerly, student performance was reported back to the home school. In many instances, the student had not attended the home school in several years, if ever. Now the achievement scores and learning gains of an ESE student who attends a center school are not to be included in the calculation of the grade of the home school if the student is identified as an emergent student on the alternate assessment. This provision must be monitored to ensure that students continue to be appropriately placed.

## SCHOOL START DATE

School districts must start school no earlier than 14 days before Labor Day each year. In most years this means that school starts no earlier than the third week in August. This enables school districts to structure the school calendar so that students may complete their semester exams and dual enrollment courses before the winter break. Labor Day in 2015 is late and it will be difficult to structure a calendar to benefit students so that exams can be administered before the winter break.

### ***School Start Date Recommendation:***

- The statute should be amended to authorize school districts to start school no earlier than the third week in August or 21 days before Labor Day.

## CAREER AND ADULT EDUCATION

A high quality technical education system is critical to Florida's recovery and continued growth. School districts play a critical role in delivering workforce and technical education through technical centers, career academies, adult education and other programs that prepare students for careers. The recent passage of CAPE legislation and increased standards that will ultimately impact adult education, calls for renewed interest in and support for technical education.

Public postsecondary technical centers, governed by school districts, provide quality training in specific occupational program areas in order to meet the employment needs of business and industry. The technical centers have the ability to be market driven, responsive to business and industry needs, cost effective and focused on results.

### ***Career and Adult Education Recommendation:***

- To better meet the needs of students and business, technical centers should be authorized to award college credit when appropriate and award AAS degrees or College Credit Certificates.

## CHOICE PROGRAMS

"Choice" has been the catchword for enhanced educational opportunity. School districts have embraced public school choice by providing nationally recognized magnet programs, magnet schools, CAPE and career academies, Advanced Placement (AP), International Baccalaureate (IB) programs, Advanced International Certificate of Education (AICE) programs, dual enrollment, virtual schools, and specialty programs and schools. The variety of educational choices for parents and students in Florida public schools is abundant.

The growing number of choice options has impacted the ability of school districts to appropriately fund all of the choices made available to students. Funding for choice programs is capped at 1.0 Full Time Equivalent (FTE), which equates to 25 hours a week or 5 hours a day of funding – regardless of the number of hours/classes a student is taking. The exponential growth of virtual and dual enrollment programs resulted in a modification of the funding formula that will have a negative ripple effect on the entire public school program. Maintaining equitable funding for students within an insufficient funding formula, is a challenge that must be recognized and addressed.

## Charter Schools

Since its inception in 1996, charter schools were offered as a means to provide students and their parents with programmatic options that were not available in regular public schools. Charter schools were also seen as a solution to overcrowding in regular public schools. Today many charter schools are not innovative, but rather duplicate educational programs that are already offered by regular public schools. Overcrowding is no longer an issue due to the implementation of class size reduction. Consequently, many districts have unfilled student stations. Districts should be authorized to deny charter applications that do not meet a need expressed by the local district and also deny an application when sufficient student stations are available to meet students' needs in existing public schools.

In addition, the financial viability of charter schools continues to be a concern of Superintendents. Legislation enacted in 2013 incorporated some accountability measures to address financial excesses of charter school operators. As part of that legislation, DOE is required to recommend a standard contract as required use by sponsors and charter schools. However, flexibility must be maintained for sponsors and charter schools to craft a contract that addresses the needs of the students and local community. At a minimum, addenda to contracts must be maintained.

### ***Charter School Recommendations:***

- Charter school applications should only be approved when the proposed instructional program and growth align with the school district needs.
- In order to ensure financial stability, school districts must have the authority to require a surety bond or the maintenance of a specific amount in an escrow fund to protect the school district and taxpayer.
- Ensure flexibility is maintained for sponsors and charter schools to craft a contract that addresses the needs of the students and local community. At a minimum, addenda to contracts must be maintained.

### **Scholarship or Voucher Programs**

Florida has established several scholarship or voucher programs. The Florida Tax Credit (FTC) Scholarship Program provides scholarships to eligible low-income students for, among other things, private tuition and fees. The FTC Program is funded with contributions to private Scholarship Funding Organizations (SFOs) from taxpayers who receive a dollar-for-dollar tax credit for use against their liability for corporate income tax; insurance premium tax; and others. The scholarship amount and student eligibility has expanded over the years of implementation, while academic standards and fiscal accountability of these programs have been routinely questioned. Participating students are only required to take the norm-referenced assessment offered by the private school and are not required to take the statewide assessments required of students in public schools.

The 2014 Legislature established the Florida Personal Learning Scholarship Accounts (PLA) Program for students who have an eligible disability. The legislation provides that a parent who applies for a PLA is exercising the parental option to determine the placement or services that best meet the needs of the child. PLA funds may be used to purchase a variety of items or services including instructional materials, specialized services, enrollment in an eligible private school, fees for assessments, contributions to the Prepaid College Program; and contracted services provided by a public school or district. Students in grades 3 through 10 must take a nationally norm-referenced test or the statewide assessments required in public schools. Students with disabilities for whom standardized testing is not appropriate are exempt from this requirement.

Superintendents support public school choice, yet have serious concerns about the lack of educational accountability, fiscal accountability, and transparency to the public as to the quality of services being provided to these students with taxpayer dollars.

### ***Scholarship/Voucher Program Recommendations:***

- All scholarship program students must be held to the same academic and educational standards as regular public school students and the scholarship program must ensure these standards are met.
- Students who return to or enroll in a regular public school must identify whether they were a scholarship student in order to hold the transferring school accountable for performance.
- Corporations that take advantage of a tax credit must be transparent and the identification of the corporate donor and the amount of the tax credit should not be exempt from the public records law.
- Programs or individuals providing services to these students must meet a threshold of accountability requirements that are reported to and published by the Department of Education.
- Students who participate in state supported scholarship programs should be required to take the assessments that would otherwise be taken if they were attending public schools. Parents have a right to know whether their children are succeeding in the educational choices they are making. In addition, the taxpayer must be assured that their funds are being expended in an accountable manner.

## PUBLIC EDUCATION FUNDING – CHALLENGES CONTINUE

### General Funding for Students

The Great Recession brought unprecedented challenges for school districts. School Superintendents have been leaders in adapting to the adversity caused by shrinking resources and implementing measures to continue providing a quality education to Florida's public school students. Superintendents protected the classroom from funding reductions by making cuts and eating into district fund balances. As a result, more districts are facing the 3 percent threshold in the year end fund balances than in previous years. Fortunately, it appears that Florida has weathered the Great Recession. Tourism is up, employment is improving, population is growing, housing is generally improving, and consumer perceptions have improved. The revised General Revenue forecast for the 2014-2015 Fiscal Year exceeds the prior year's collections by about \$1.0 billion (3.8%). The revised forecast for the 2015-2016 Fiscal Year has projected growth of nearly \$1.1 billion or 3.9 percent over the current fiscal year's estimate.

The economic news is positive. The Legislature recognized the importance of public education as the foundation for economic recovery and growth in Florida by appropriating more dollars for public education than ever before – even through the Great Recession.

While overall funding has increased, the total funding per student through the FEFP has not returned to pre-recession levels. At the start of the 2007-2008 school year, funding per student was \$7,305.79. The current budget for this year provided \$6,937.23 per student. This represents \$368.56 or 5.04 percent less per student to operate Florida public schools seven year later. When considering the impact statewide for more than 2.7 million students, this represents an annual shortfall of just over \$1 billion dollars.

During this same time period school district have been required to comply with increased requirements:

- Implement new teacher and school based administrator evaluation systems.
- Implement teacher performance pay requirements.
- Begin to outfit schools with the technology needed to implement Florida's transition to computer-based testing for statewide and local assessments.
- Provide teachers professional development to implement the new Florida State Standards.
- Purchase new instructional materials aligned with the new Florida State Standards and fulfill digital content requirements.
- Increase school security measures in response to tragic events occurring on school campuses across the country.
- Continue to comply with class size reduction requirements.

The impact of inflation has further eroded school funding. Over the past eight years, school districts have had to contend with inflation and rising operational costs. Inflation since the approval of the original 2007-2008 state budget has risen 15.6 percent. As a result, funding of \$8,219.04 per student is needed to fully restore public education funding to prerecession levels. *The aggregate funding gap for all 2.7 million students is nearly \$3.5 billion dollars.*

This does not consider the impact of two funding policy changes implemented last year that have further reduced the availability of funds to school districts. The Legislature has established that no student may generate funding that exceeds 1.0 FTE per student per year. Consequently, if a student takes more courses or is enrolled in a program that exceeds 1.0 FTE (25 hours a week), the cost is prorated across the courses or programs that are provided funding for that five hours per day. This has adversely impacted programs for English Language Learners and ESE students because these student receive less weighted funding. Funding for students enrolled in the Florida Virtual School is now prorated across the services and programs in which students are enrolled.

In addition, school districts are now required to pay tuition to state colleges and universities for students taking dual enrollment courses on college campuses. Along with that, the cost of instructional materials for dual enrollment courses continues to increase at an alarming rate for which school districts do not receive sufficient funding. The Legislature provided some relief in this area last session, however the policy is costly for school districts and one for which there is not any leverage for school districts to negotiate a reasonable agreement with state colleges. This policy works against having a K-20 education system, and pits school districts against state colleges.

### **Funding for Exceptional Students**

Over the years, the Legislature has made several significant changes to the exceptional student education (ESE) funding component of the FEFP that have led to reduced funding for the state's ESE students. In 1997-98, the Legislature attempted to simplify ESE funding by collapsing the ESE cost factors from 15 to 5 programs. These cost factors represented a multiplier of basic student funding to adjust for the increased costs associated with meeting the needs of ESE students. The collapse of the cost factors resulted in a loss of weighted funding and revenue for ESE programs.

In 2000-2001 school year, the Legislature created the ESE Guaranteed Categorical allocation and collapsed ESE programs from 5 to 2 cost factors. Again, one of the purposes was to simplify the program, however the reduction in cost factors have led to a decline in funding over the years which is counterintuitive since the number of ESE students has continued to increase. In addition, the categorical funding has not kept pace with student growth over the years. While state funding has fallen, costs associated with serving ESE students continue to rise. Given exponential growth in the number of autistic students and other disabilities, there is a pressing need to increase ESE funding.

### **Flexibility and Funding to Improve the “Low 300”Elementary Schools**

Learning to read is the gateway skill for students to be successful in school and life. Superintendents support the requirement to provide an additional hour of reading instruction beyond the regular school day at the state's lowest 300 elementary schools in terms of reading test scores – but it must be funded. The cost in personnel and transportation alone is substantial and is expected to reach \$150 million in the 2014-2015 Fiscal Year. While the Supplemental Academic Instruction (SAI) and Reading Instruction categorical funds may be used for this purpose, the Legislature has not provided the funding to meet all of the needs and programs identified in these categorical programs.

### **Capital Funds to Meet Maintenance and Technology Demands**

School buildings are a critical public asset – Florida school districts comprise over 425 million square feet of facilities. Schools represent a public asset of \$85 billion based on an average cost of construction of \$2000 per square foot. As of June 30, 2013, the average age of Florida's schools was 28 years old. Preventative maintenance, repairs, and the upkeep or replacement of building systems (i.e. HVAC, lighting, school safety) is critical to ensure these public schools are quality places for students to learn. Failure to do so will eventually lead to the premature replacement of failed buildings at an increased cost to taxpayers.

Technology is an essential instructional and assessment tool in today's public schools. Adequate bandwidth, infrastructure, computers and other devices must be accessible for students to learn and teachers to teach. The loss of capital outlay funding has compromised the capacity of school districts to meet the increased demand for technology. Fortunately, the Legislature included \$40 million in the newly created Digital Classrooms funding categorical, but as was recognized, this a fraction of the total need. Considering the current enrollment of more than 2.7 million students, this represents less than \$15 per student.

Currently, school districts utilize the discretionary millage authority of assessing up to 1.5 mills to address maintenance and repair and school construction needs. In response to the Great Recession, the 2008 and 2009 Legislature reduced the discretionary capital millage authority of local school boards by 25 percent each year (2.0 to 1.5 mills). This was necessary to offset a comparable increase in the Required Local Effort

levy to avoid additional operating budget cuts. Initially, school districts were able to defer capital purchases and tap local capital reserves as is a common practice in an economic downturn. Over time, the substantial loss of capital revenue has crippled the ability of school districts to meet school facility maintenance, classroom technology, school safety and school bus needs. The cumulative impact over the past seven years is \$4.6 billion. This figure grows to \$8.7 billion if the revenue lost due to the decline in state property values is considered. Superintendents support the restoration of discretionary millage authority in order to help districts meet capital outlay needs. The restored authority may not return districts to pre-Great Recession funding levels, but will go a long way towards addressing maintenance needs that have been delayed.

PECO funds for new school construction have also declined significantly in recent years. This revenue source is unable to support the needs of traditional and charter schools. The Legislature began restoring PECO this fiscal year and statutory changes were made that will potentially increase deposits into the PECO trust fund. Superintendents support the issuance of PECO bonds to support school construction, the Special Facility Construction Program (rural schools) and technology.

### ***Funding Recommendations:***

#### **General Operations**

- Increase the Base Student Allocation (BSA) for the 2015-2016 Fiscal Year by \$368.56 to truly restore funding to the 2007-2008 level. Establish a separate funding source for programs taken by students beyond the 1.0 FTE cap or 25 hours a week.
- Do not expand the curriculum, promotion or graduation requirements unless the school day is expanded.
- Repeal or provide additional funding for the requirement that school districts pay tuition for dual enrollment and authorize school districts to share the costs within the articulation agreements at the local level. Adequately fund instructional materials for dual enrollment.
- Begin addressing the gaps within budget categories – Restore the ESE Guaranteed funding categorical to the pre-Great Recession level of \$2,220.56 per student.
- Establish a new funding categorical to fully fund the “Lowest 300” extended instructional day requirement. This funding categorical should be beyond the current SAI and Reading funding categorical programs.
- Increase the Digital Classrooms funding categorical to the statutory goal of 1 percent of the FEFP.

#### **Capital Outlay**

- Funding for maintenance and repair of district operated public schools, for addressing school safety issues and for the technology needed for instruction and assessment is critical. School boards should be restored the authority to levy a discretionary millage of up to .5 mills to address these needs.
- Public Education Bonds funded by the PECO Trust Fund should be issued as bonding capacity is available in order to support the capital construction and technology needs of school districts.
- The Legislature should fully fund the Special Facilities Program including those projects that are underway and those new projects recommended for funding beginning in the 2015-2016 fiscal year.
- Capital outlay funds for charter schools should only be provided through a separate statewide funding source and distributed only based on demonstrated need with provisions made to insure that the taxpayers acquire an asset for their investment and the need for public disaster shelter requirements are met.
- Any local discretionary capital improvement funds provided to charter school facilities and capital equipment must continue to have the consent of the local school board.