



FLORIDA ASSOCIATION OF DISTRICT SCHOOL SUPERINTENDENTS

2014 LEGISLATIVE PLATFORM

INTRODUCTION

The Florida Association of District School Superintendents (FADSS) 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 2.6 million students enrolled in Florida's public school system. Florida superintendents have always supported increased rigor and academic standards that are data-driven with an end 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 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 CONTROL

Florida superintendents hold fast to the principle that local control 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 standards and priorities for their school districts to meet the educational needs of their students. Because superintendents, their local boards and their management staff are accountable to their communities; they must be free from unwarranted intrusion by state and federal authorities.

PLATFORM

Student Performance Increasing While School Grades Decrease – Florida's Accountability System in Question

The overall purpose of Florida's accountability system is to improve student performance. Today the integrity of Florida's accountability system, including school grades, is in question. Florida's school grade system has seen multiple changes over the past few years, including 34 changes in 2011-2012 alone. The culmination of these changes have had a significant impact on Florida's accountability system and today many Floridians lack confidence in school grades as a precise measure of a school's performance.

The public does not understand a system that celebrates student performance on national assessments, Florida Comprehensive Assessment Test (FCAT), and statewide end-of-course exams; while the school grading system yields an unprecedented number of schools with grades of "D" or "F" and significant drops overall in school grades. Florida's current letter grade system takes what should be an understandable, common grading scale and applies multiple, ever-changing criteria that force a school grade that may not accurately reflect the teaching and learning that is experienced by students in the school.

The school grading system must be simplified and recognize student performance in a way that is easily understood by the public, parents, and student. Increased student performance that yields a drop in a school grade brings the assessment system into question. In order to move Florida's accountability system forward, we need to pause and revamp the accountability system in order to regain the trust of the public and the students we serve.

The Perfect Storm

There has been so much change in the overall accountability system, including school grades, that Florida is facing a perfect storm. In the next school year, 2014-2015, school districts must:

- Implement Common Core State Standards across all grades and courses.
- Administer a Common Core Assessment.
- Implement Local Assessments (EOCs or other assessments) to measure student performance in grades and subjects not covered by a statewide assessment.
- Implement a new salary schedule incorporating student performance as a major component of compensation.

In addition, the technology requirements are daunting given that all statewide, standardized EOC assessments must be administered online except as provided for exceptional education students. Finally, beginning in the 2015-2016 academic year, at least 50 percent of the annual instructional materials allocation must be used to purchase digital or electronic instructional materials for students in kindergarten through grade 12.

In order to move Florida's accountability system forward, we need to pause and resequence the accountability system and regain the trust of the community and the students we serve. To that end, the following recommendations are made to restore credibility and confidence in Florida's accountability system.

Move Forward with Common Core Implementation

Superintendents strongly support Common Core State Standards in English Language Arts and Mathematics. Implementation must continue to move forward as the standards are applied in all grades and throughout all subjects in the next few years. Full implementation is a multi-year effort of intense professional development and the adoption of curriculum that is aligned with the standards.

Develop and Implement a Realistic Transition Plan to Common Core

Superintendents support an assessment and accountability transition plan to bring stability and credibility back to Florida's accountability and school grading system. A transition plan is critical until the assessment and accountability/school grading system are fully and accurately aligned.

- Florida must develop a coordinated communication campaign to educate the public about Common Core State Standards.
- Florida must have consistent, ongoing professional development for teachers and school-based administrators that is aligned with the state standards.

Alignment of New Assessment to Standards and Grading System

The new statewide assessment must be aligned to the standards and school grading system; provide cross-state comparability; and produce accurate, timely results. The current assessment, FCAT 2.0, is not aligned with the new standards. Until there is an aligned statewide assessment, the credibility of Florida's accountability system including school grades will continue to be at risk.

- The new statewide assessment must not be a "homegrown" or Florida developed assessment. Otherwise, the cross-state and international comparability will not be possible. The new statewide assessment must be timely, fair, transparent, and aligned to the standards. The results should be used in accountability and teacher evaluations in a clear and fair manner and should assist teachers and parents.
- Excessive time needed to administer the new statewide assessment is a concern for parents, teachers and Superintendents. The time must be reasonable for the age of the student and the impact on instruction must be taken into account.
- DOE must publish minimum and recommended technology requirements that include specifications for hardware, software, networking, security, and broadband capacity to facilitate school districts compliance with the requirement that common core assessments be administered online.
- 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 Legislature must fund the technology infrastructure based upon state requirements for devices and infrastructure building and maintenance.

District Developed End-of-Course Exams (EOCs)

Beginning with the 2014-2015 school year, each school district must administer for each course a student assessment that measures content mastery. Such assessments may include statewide assessments, other standardized assessments, industry certification examinations, and district-developed or selected end-of-course assessments.

- School districts have struggled with the development of local assessments, including EOCs, which will satisfy the statutory deadline of 2014-2015. While districts have made strides, most districts will not be able to comply.
- The Legislature should repeal the requirement to develop an EOC for those courses and grade levels not covered by statewide assessment. Districts should have the flexibility to utilize national assessments, the reading and/or mathematics component of the statewide assessment, performance benchmarks and other measures, in lieu of a course and grade specific examination.

Teacher Evaluation/Pay for Performance

Teacher and school administrator performance evaluations must be based on the performance of students assigned to their classrooms or schools. At least 50 percent must be based on student learning growth and remaining percentage is for the evaluation of instructional practice. The Student Success Act or SB 736 radically changed the relationship between schools districts and teachers by authorizing

only an annual contract to teachers hired after July 1, 2011. New salary schedules incorporating student performance as a major part of compensation must be fully implemented in the 2014-2015 school year.

While superintendents support a strong teacher and school-based administrator evaluation system based on performance; implementation of all the required elements of the Student Success Act within the statutory timeframe is problematic, at best.

- Any transition plan must incorporate sufficient flexibility to adequately evaluate teachers based on performance while continuing to refine the accountability and school grading system. For example, in a time of transition to the new standards and assessment, school districts should have more flexibility in developing and implementing an evaluation instrument that measures performance. 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.
- Districts should be authorized to define student growth.
- Even during a transition, the evaluation system should be rigorous and incorporate both student performance and professional practice.
- The development of valid, reliable and legally defensible EOC assessments within the current timeframe is not realistic.
- The implementation of an evaluation incorporating an assessment that is not aligned with the standard being taught is not fair or valid.

The Florida Department of Education (FLDOE) is presently in litigation over whether Value Added or VAM data are considered public records and subject to disclosure. The First District Court of Appeals held that the VAM data is a public record and the Department has requested a rehearing.

- VAM data and any other data used as part or a component of the evaluation of a teacher or administrator should be exempt from disclosure pursuant to the statutory exemption contained in s. 1012.31, F.S. This long standing exemption maintains the confidentiality of employee evaluations of public school employees until the end of the school year immediately following the school year during which the evaluation was made.

Superintendents support performance pay. However, to be successful, the new statewide assessment must be fully implemented. Performance pay should be based on an evaluation system that is flexible and utilizes assessments that accurately and fairly measure student performance.

Amend Florida Statutes to Implement Alignment and Transition to Common Core

Florida Statutes must be amended to reflect a transition plan to a new accountability and school grading system using the new Common Core Standards. At a minimum, this includes modifying SB 1664, SB 736, and possibly SB 1076.

Identify Needed Modifications in NCLB Waiver

FLDOE should work with the USDOE to modify any waiver that is impacted by these changes in Florida's accountability system. This may include a delay in the timeline for full implementation.

Impact on ESE and ELL Students

All students with disabilities participate in the statewide assessment program including FCAT 2.0 and EOCs. English Language Learners (ELLs) are expected to participate in statewide assessments. The educational standards for ESE and ELL students must be rigorous and, at the same time, take into account the challenges these students and their parents face. These students must be treated fairly and

given the opportunity to succeed. The state accountability system must not be structured in a manner that hinders their success. In addition, the school grading system must fairly reflect the performance of these students.

- The accountability system and applicable grading system should be modified to ensure that ESE students take assessments that best reflect their achievement level; not the age appropriate grade level. It is not reasonable for an ESE student who has no chance of scoring on grade level to take the age appropriate assessment.
- 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 and school grades are not impacted unnecessarily.
- ELL students should be expected to participate in statewide assessments; but their performance should not impact school grades when a student has only been receiving services for a year or less. Students cannot be expected to performance on grade level, especially in Reading with only one year of participation in an ESOL program.

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 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 is just 25 hours a week or 5 hours a day of funding. The exponential growth of virtual and dual enrollment programs resulted in a modification of the funding formula that will ripple through the entire public school program. Maintaining equitable funding for students within a funding formula is a challenge that must be recognized and addressed.

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. To better meet the needs of students and business, technical centers should be authorized to award college credit when appropriate, award AAS degrees or College Credit Certificates and adopt the name technical college, upon approval of the local school board.

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 duplicated educational programs 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. Applications should only be approved when the proposed instructional program and growth align with the school district needs.

The financial viability of charter schools continues to be a concern of superintendents. 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.

Legislation enacted in 2013 incorporated some accountability measures to address financial excesses of charter school operators. As part of that legislation, FLDOE 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.

District Innovation Schools of Technology

The Legislature authorized the establishment of district innovation schools of technology by school boards. These schools afford school districts the same flexibility provided charter schools. As districts plan to implement these schools, greater flexibility is needed to ensure their success. For example, fewer districts can establish these schools because of the drop in district grades as a result of the drop in school grades. To participate, a district must have had a grade of "A" or "B" in each of the past 3 years.

Public Education Funding – Challenges Continue

School superintendents have been leaders in adapting to adversity and implementing measures to continue providing a quality education to Florida's public school students. The \$1 billion funding increase in operating dollars helped districts begin a financial recovery from the Great Recession; however, challenges remain.

Two policy changes have impacted the availability of funds to school districts this year. 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. Funding for students enrolled in the Florida Virtual School is now prorated across the services and programs in which students are enrolled.

In addition, changes in the law concerning dual enrollment will require districts to pay millions of dollars to the colleges to provide this program, payments that had not been required in the past. School districts are now required to pay tuition for students taking dual enrollment courses on college campuses, pay the cost of instructors if taught on public school campuses and pay additional costs to colleges. School districts were not budgeted for this change.

Where does the money go?

This fiscal year, the total potential funding in the April 2013 Florida Education Finance Program (FEFP) was \$18,278,000,000 of which almost \$3 billion goes toward class size reduction; an overall increase of just over \$1 billion from 2012-2013. How will this \$1 billion be spent?

- Almost \$500 million is for raises to specified teachers and school-level administrators.
- Almost \$300 million is set aside to pay the employer's share of the increases in FRS.
- The remaining 20 percent is insufficient to meet significant unmet operational and programmatic needs in school districts including, but not limited to: implementing legislative requirements such as the increase in the teacher supply allocation formerly known as Teacher Lead; funding the Florida Virtual School and Dual Enrollment courses; continued funding of the lowest 100 performing elementary schools in reading; and the consideration of salary increases for bus drivers, cafeteria workers and other teachers not included in the \$500 million. In addition, districts must pay for the increased costs of fuel and utilities and any other increases in fixed costs.

Capital budgets based on property tax and other local revenues on the local level are also significantly impacted. Local capital funding has fallen from a high of about \$3.4673 billion in 2007 to about \$2.005 billion projected for 2013-2014. This is a loss of almost \$1.5 billion in capital improvement funding as compared to six years ago.

Funding Recommendations

The 2013 budget represents the first post-recession budget with all of the temporary budget supports of federal stimulus and reduced FRS rates removed. The following recommendations are made within this economic context and in recognition of the continued constitutional and legislative mandates on school districts.

General Operations

- Establish a separate funding source for programs taken by students beyond the 1.0 FTE cap or 25 hours a week.
- Repeal 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.
- Increase the Base Student Allocation to accurately reflect student growth and inflation.
- Begin addressing the gaps within budget categories such as transportation, instructional materials and school safety.
- Recognize that the \$480 million set aside for teacher raises is now part of the base budget. Any substantial salary increases must be funded by increasing the Base Student Allocation or continuing the salary categorical.
- Determine the cost of required improvements in technology infrastructure and devices, and fund technology needs required by legislative action in all policy areas, including infrastructure and maintenance, for online assessments and delivery of instruction.
- Establish separate additional funding for the extra hour in the school day for the 100 lowest performing schools in reading.
- Fund teacher and school-based administrator professional development requirements for the continued implementation of common core standards and new assessment requirements.
- Provide general operating dollars without any additional mandates in order for districts to implement and sustain new performance salary schedules.

Capital Outlay

- Funding for maintenance and repair of district operated public schools and for the technology needed for instruction and assessment is critical. School boards should be authorized, by a super majority vote, to levy a discretionary millage of up to .5 mills to address these needs.
- 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.