



**GOVERNING BOARD AGENDA ITEM
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

DATE OF MEETING: September 6, 2011

TITLE: Discussion of Governing Board Input to Arizona School Board Association (ASBA) Regarding Development of Top Ten Legislative Priorities for ASBA; Discussion of Amphitheater District Legislative Priorities for the 2012 Legislative Session(s)

BACKGROUND: Following the ASBA Delegate Assembly on June 25, 2011, ASBA developed a listing of legislative priorities for the organization based upon the input of membership present at the assembly. A copy of this listing is attached to this item. ASBA is now requesting that each of its member Governing Boards provide input regarding the prioritization of the legislative goals for the organization. ASBA specifically requests that each Governing Board pick their "Top 10" legislative goals *from among ASBA's identified listing*.

As Board members will recall, one component of the services provided by ASBA to its members is lobbying and advocacy at the state level. This is done on a statewide basis, typically based upon input derived from the delegate assembly. To our knowledge, ASBA has never before requested that each Board then provide their "Top 10" preferences.

In addition to providing input to ASBA's legislative agenda, the Amphitheater Governing Board has for several years established its own legislative priorities for the District to guide and direct District representatives in their communications with Arizona legislators. This guidance is necessary to ensure that communication with state law makers is consistent with the Board's philosophies and the District mission.

The priorities set for the District are separate from, but may overlap, those adopted by the Arizona School Board Association.

In October of 2010, the Governing Board set the legislative agenda for the District for the 2011 legislative sessions. That information follows below to facilitate discussion of the District's agenda for the upcoming session and also to aid in the discussion of the District's input to ASBA on the top ten priorities for that organization. As usual, the list below includes the main priority statement, as well as "talking points".

**Amphitheater Public Schools
Legislative Agenda for 2011 Session(s)**

1. Increase Funding for K-12 Education.

- AZ LEARNS and NCLB demand higher levels of achievement.
- The stakes for students and their families under these systems of accountability are high; mastery of state standards is mandatory for promotion and graduation.
- Increasing student achievement goals is warranted; but support of those increases through increased school funding is essential to support those goals.
- Special programs which increase student success require financial support.

- Funds are required to attract and retain the best and most qualified staff, particularly in high needs areas such as science, math, technology and career and technical education.
- School funding long failed to keep pace with inflation until state voters overwhelmingly approved Prop 301. But even with 301's inflation factor (2% max.), school district budget increases in recent years were largely absorbed by increases costs for state retirement contributions, energy and fuel, and health care.

2. Expand Career Ladder Funding.

- While Career ladder is available in less than 30 school districts, this important program serves a substantial number of the majority of Arizona students, approximately half of the students in the state in fact.
- The number of school districts participating should not be the issue; it should be the value of the program to the students of our State.
- Substantial benefit has been observed in the achievement of students in districts with the program.
- The program supports staff development requirements under NCLB .
- Programs which help students and schools succeed should never be a target for cuts at a time when the stakes for success have never been higher.
- The recent ruling in the Gilbert School District illustrates that the program has been wrongfully denied to other districts; all of Arizona's students deserve its proven benefits; the program should be *expanded*.
- All communities throughout the state can benefit from the successes of program.
- Cutting this program would mean the loss of services to thousands of students across the state and would also mean the loss of thousands of dollars in income to teachers all across the state.

3. Maintain Desegregation Funding.

- Desegregation and OCR orders typically mandate that school districts undertake some form of corrective action, through the implementation of new programs, services or policies.
- A.R.S. §15-910 (the desegregation funding statute) provides a separate source of revenue for school districts compelled to implement new programs and services by operation of court orders or OCR decrees.
- In November 2004, the legislature put forward Prop 101, which mandated that initiatives or referendums requiring the expenditure of state revenues also had to provide a source of increased revenues to avoid impacting the State's general fund and existing state programs.
- Through Prop 101, legislature correctly recognized that new programs imposed upon government should have their own funding source.
- In the same way, §15-910 protects existing school district programs and services.
- Programs and services of school districts directly serving Arizona's children deserve no less protection than the general fund of the State.
- Argument that voters have no control over the desegregation taxes is faulty; Voters disapproving this levy or any other for that matter can evidence their disapproval at the polls in Governing Board elections.
- Use of desegregation funding for purposes not provided for in consent orders or decrees (compliance with State-directed SEI/ELL programs) risks legal intervention due to violation of orders.

4. Provide Adequate Funding to Serve English Language Learners.

- Arizona law mandates Sheltered English Immersion; methodology is no longer a school district or local community choice.
- ELL student success is measured as a cohort/subgroup by AZ LEARNs and NCLB systems.
- Language disparities affect the learning of children and must be taken into account; additional services beyond those needed by English speaking students are required.
- The extra services require additional financial support.
- The Flores decision recognized -- even before high stakes programs -- that level of state ELL funding was inadequate.
- With our ELL students' ability to graduate at stake, appropriate funding must happen.

5. Establish a Reliable and Adequate Source of Funding for the School Facilities Board.

- The purpose of the SFB cannot be achieved without consistent funding.
- Building renewal funds have not been fully supported (if supported at all) for the several years throughout the SFB's history.
- New school construction support has also become woefully inadequate given increases in building material costs.
- Anecdotes of concrete gymnasium floors and inadequate site preparation illustrate a lack of funding to support even the most ordinary school elements
- Current reliance upon the State's general fund as the funding source cannot and should not continue; it creates not only a burden upon the State, but also an unavoidable reality of insufficient facilities which do not mirror our public's expectation for the best in education.
- In November 2004, the legislature put forward Prop 101, which mandated that initiatives or referendums requiring the expenditure of state revenues also had to provide a source of increased revenues to avoid impacting the State's general fund and existing state programs.
- Through Prop 101, legislature correctly recognized that new programs imposed upon government should have their own funding source.
- A new funding mechanism -- bonding, perhaps -- could reduce or eliminate the competition between the need for schools and other crucial State priorities.

6. Provide User-friendly and Practical Reporting Requirements and Provide Funding Support for the Same.

- Federal and state reporting and data requirements combine to create a substantial administrative burden for school districts.
- Recent requirements of AzSAFE actually require submission of data prohibited by federal law, marking the sometimes unnecessary aspects of many demands.
- Annual submissions of certain documents serve no useful function (e.g., Declaration of Curricular Alignment) and raise questions as to why "one-time" submissions suffice in other equally important situations (i.e., oath of office).
- The worthy goal of putting more funds in the classroom must be reconciled with the ongoing effort to put more burden in administrative functions.

7. Protect and Support Education Due Process Rights.

- While the interests of the student must be the paramount focus of all education decisions and policies, those interests will never be met if educators are led to believe that their rights do not matter.
- A careful balance must be drawn between ensuring students receive services from the most-qualified and effective staff possible and protecting the rights of teachers to due process and opportunities for professional growth.

8. Provide Adequate Support for Special Education

- The state supports special needs students by providing extra funds.
- In 2010, apart from Kindergarten and K-3 students, Amphitheater had 3,261 special needs students (including ESL students). Of these, 57% or 1,858 were in a category that includes emotional disability, mild mental retardation, specific learning disorder, speech/language impairment, and other health impairments.
- For each of these 1,858 students, the state only provided the district an additional \$9.93 in funding – an unconscionable amount.
- The legislature's dereliction of duty puts a huge burden on a district dedicated to providing appropriate support, not only for its special needs students, but for the needs of all of its students.

9. Eliminate All Student Tuition Organization Tax Credits.

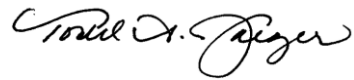
- Legislators are, by oath to the state constitution, required to support, develop and advance public education.
- Contrary to that oath, the legislature has reduced funding for public education using scarcity of general funds as a rationale for these actions, without acknowledging the constitutional duty to provide funding through taxation.
- Concurrently, the legislature's steadily increasing diversion of tax revenues to private schools through student tuition organizations and tax credits has exacerbated the "scarcity of funds" cited by the legislature as the reason for cutting public education.

10. Eliminate the Extracurricular Tax Credit Program

- If the legislature believes that enhancements to extracurricular funding are needed to provide adequate programs, the legislature should provide adequate funds directly to the districts.
- The district's rebate-obtained public funds are derived entirely from money that has been diverted from the state's general fund where they could have been distributed in an equitable manner.
- The current program requires districts to distribute these diverted funds in a manner that favors wealthier school populations.
- A report in 2008 showed that a wealthier school received from the district over five times as much of these diverted funds per student than did students in a less wealthy school.

RECOMMENDATION: This item is presented for discussion and direction. An agenda item for the final determination of the input to ASBA and the determination of the District's separate legislative agenda will be presented for action later this month.

INITIATED BY:



Todd A. Jaeger, Associate to the Superintendent

Date: August 31, 2011



Vicki Balentine, Ph.D., Superintendent