



GOVERNING BOARD AGENDA ITEM AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10

DATE OF MEETING: August 13, 2019

TITLE: Determination of Governing Board Position on ASBA Legislative Action Agenda Items; Direction to Delegate and Alternate

BACKGROUND:

As the Board is aware, the Arizona School Boards Association, of which the District is a member, is holding its annual ASBA Delegate Assembly on September 7, 2019. The Delegate Assembly determines ASBA's positions for any future Special Sessions of the current legislature and for the First Regular Session of the Fifty-fourth Legislature (and any special meetings).

The Governing Board reviewed the ASBA 2019 Political Agenda in May; it then compiled its top five (5) political agenda priorities, followed by the selection of two (2) additional priorities for consideration by the ASBA Legislative Committee.

The top five (5) priorities approved by the Board were:

1. Provide Adequate Funding for K-12 Education.
2. Eliminate unfunded mandates and administrative burdens.
3. Fully fund full-day kindergarten and include kindergarten in the override calculations.
4. Return desegregation funding to a primary tax levy and maintain desegregation funding.
5. Establish a reliable source of funding for the School Facilities Board.

The two (2) alternative priorities were:

1. Provide greater equity in funding access for exceptional student services, including REACH and English Language Learners, within the public school system.
2. Provide user-friendly and Practical Reporting Requirements and Provide Funding Support for the same.

On July 9, 2019 the Governing Board selected Board Member Scott Baker as the Board's Delegate to the ASBA Delegate Assembly to be held on September 7, 2019. Board Member Matthew Kopec was selected as the Alternate Delegate.

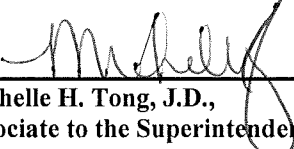
The Superintendent has now received the ASBA Legislative Committee's draft Political Agenda to be discussed and voted upon by Delegates at the September Assembly. The final document will set forth ASBA's advocacy agenda on issues of concern through the State during the 2019-2020 fiscal year.

This item is prepared to permit the Board, through discussion and/or motion, to provide direction to the delegate and alternate delegate on how to vote or otherwise represent the interests of the Board in the development of the official ASBA political agenda.


RECOMMENDATION:

This Administration recommends that the Governing Board provide direction, as it determines, to the delegate and alternate delegate on legislative matters of concern to the Board and/or provide direction on how the delegate or alternate delegate should vote on matters.

INITIATED BY:


Michelle H. Tong, J.D.,
Associate to the Superintendent and General Counsel

Date: July 29, 2019


Todd A. Jaeger, J.D., Superintendent



Arizona School Boards Association

TO: GOVERNING BOARD PRESIDENTS AND SUPERINTENDENTS

FROM: Sam Richard, Legislative Committee Chair

DATE: July 18, 2019

SUBJECT: PROPOSED 2020 POLITICAL AGENDA AND DELEGATE ASSEMBLY PROCESS

Thank you for lending your voice to every public-school student in Arizona. Enclosed you will find ASBA's Vision, Mission, and Core Beliefs; and the proposed 2020 Political Agenda.

The Legislative Committee reviewed every proposal and discussed these items on June 14th. Most boards indicated support for items included in the 2019 Political Agenda, and the committee appreciates your overwhelming support of ASBA's agenda to advance public education statewide.

This year, the committee is continuing 2019's streamlined approach to the association's political agenda, as you will see in the enclosed report:

1. **The *draft* 2020 ASBA Political Agenda.** As with the 2019 agenda, the committee feels this 4-item document will create a simple, readily digestible agenda that will serve as a guide to advocating for legislation aligned with ASBA's mission and values, but also allow for the expression of more specific related concerns by ASBA member districts. This document will be the one given to legislators outlining ASBA's priorities.
2. **2020 *draft* Political Agenda Supplement.** The supplement/supporting document will provide direction to association staff in determining positions on legislation and informing our advocacy efforts as it always has.

The Delegate Assembly determines the positions of the Arizona School Boards Association and will consider both documents. If you haven't registered your board's delegate and alternate, there is still time to do so [here](#). **We look forward to seeing you at the Delegate Assembly on September 7th.**

The meeting will be at the J.W. Marriot Camelback Inn at 5402 E. Lincoln Drive in Scottsdale. Registration and the continental breakfast will begin at 8:00 am and the opening of the Delegate Assembly will begin at 9:00 am. **All delegates must be seated at 9:00 am sharp.**

Please copy and distribute this ENTIRE packet to all board members and place the proposed 2020 Political Agenda on your next board agenda for discussion and to provide any instruction to your district delegate as to your board's position on proposed agenda items. A sample board agenda item has been included for your reference. While all board members and superintendents are welcome to attend the Delegate Assembly, each member district has only one official delegate.

Delegate registration can be completed online [HERE](#)

Model Governing Board Agenda Items

Model agenda item for selection of district delegate (may be consent if no discussion required)

1. Consideration and possible action to appoint [NAME] to represent [DISTRICT NAME] as the district delegate to the Arizona School Boards Association delegate assembly on September 7, 2019

Model agenda item for board consideration of the draft political agenda in general session

1. Governing Board to discuss and may consider action to approve the Arizona School Boards Association's (ASBA) draft 2020 Political Agenda, and, direct the District's delegate to the ASBA delegate assembly to represent the Board's determined position.

Draft 2020 Political Agenda

Adequately and Equitably Fund District Schools to at Least the National Median per Pupil Funding

Rationale: The Arizona School Boards Association believes that issues of adequacy and equity persist in Arizona today. “General and Uniform” means more than “the same amount for every child.” To fulfill the requirements of a 21st century education system, Arizona’s public schools must be funded to meet the diverse needs of the communities in which they are located, in a manner that respects the role of the locally elected governing board in the allocation of funds to suit the needs of the students under its care.

Preserve and Strengthen Local Control

Rationale: Local control is at the core of Arizona’s public-school system, dating to before the state’s founding. Local communities have always contributed a large share of the resources for public education, and it has long been understood that those closest to the students are best equipped to make operational and instructional decisions to fit their needs.

Improve Outcomes for All Students

Rationale: State and federal policy regarding K-12 education must be focused on providing resources, with adequate transparency and financial accountability, to school districts and allowing qualified educators to deliver sound instruction to achieve the desired results. Districts should be allowed to leverage a variety of resources at their disposal to increase student engagement, graduation rates, and postsecondary attainment. They should spend far less time and energy tailoring instruction to achieve the desired assessment results, as opposed to using assessments to drive quality instruction.

Require Public Accountability for Taxpayer Dollars Spent on Education

Rationale: School districts are subject to rigorous and numerous audits, reports, and accountability systems in the name of ensuring that taxpayer dollars are spent properly and effectively. If this is good public policy (and financial transparency is generally good public policy), then that transparency should apply equally to all entities and programs that receive funding from the state, either directly or indirectly.

Draft 2020 Political Agenda Supporting Document

Adequately and Equitably Fund District Schools to at Least the National Median per Pupil Funding

1. **Maximize state funding for nationally competitive salaries to attract, recruit, and retain talented teachers and staff.**

Rationale: This item is of primary concern to ASBA member districts. Despite investments made in the 20x2020 plan, teacher salaries will remain a concern in the near term.

2. **Revise the School Finance formula to:**
 - a. **Provide a stable, dedicated revenue source less reliant on the general fund or annual legislative appropriation.**
 - b. **Provide dedicated school capital funding consistent with the constitutional requirement of a general and uniform public school system.**
 - c. **Ensure the formula addresses the unique financial needs of schools serving students in poverty and in rural schools.**

Rationale: Given that the Legislature has (until 2018) been remiss in dedicating GF dollars to K-12 education, the system would be best served by establishing a revenue source outside the reach of the Legislature to increase /maintain funding. An economically stable revenue source would be less vulnerable to a decline in state revenue collections due to a downturn or tax cuts.

Poverty weights (i.e. a weight per-student where the community served by the district meet established poverty thresholds) have long been recommended to recognize and reduce educational disparities associated with growing up in poverty. A poverty weight speaks to adequacy and would reduce dependence on other funding sources in low Socio-economic Status (SES) districts. Rural school districts also have unique financial challenges to due to economies of scale and geography that require consideration beyond what urban/suburban schools require.

3. Fully fund full-day kindergarten and include kindergarten students in the override calculations.

Rationale: All-day Kindergarten, when funded, should be funded as 1.0 ADM rather than a Group B weight as before. This would allow districts to generate override capacity for 1.0 ADM rather than 0.5 ADM.

4. Advocate to preserve and protect the voters' original intent of Prop 301.

Rationale: Given that the Legislature created a mechanism to continue the 0.6% sales tax beyond its original expiration, the focus should now shift to protecting the voters' intent for Prop. 301 to increase base compensation for teachers, and supplement, not supplant, other state funding for public schools.

5. Accelerate full restoration of district additional assistance (DAA) funding and index for inflation.

Rationale: The Legislature has enacted a plan to fully restore the DAA formula over five years, by FY2023. This is formula funding that is vital for districts. Should additional resources become available, the Legislature should accelerate the timeline for restoring this funding, so the K-12 formula is fully funded before that time.

6. Provide new school construction funding for site acquisition, design, and construction before existing schools exceed their maximum capacity and become overcrowded.

Rationale: ASBA believes that it is not appropriate to require students to attend an overcrowded school for years before state-funded facilities are provided. While the FY2020 budget goes to two-year projections, three is preferred.

7. Eliminate unfunded mandates and administrative burdens.

Rationale: It is a fundamental position of ASBA to oppose all new, and work to eliminate all existing, unfunded mandates.

8. Return desegregation funding to a primary tax levy.

Rationale: The Legislature moved desegregation levies to the secondary property tax in FY19. This was intended to both save the state money and create political pressure on certain districts due to their high tax levies by raising property liability for homeowners in those districts. The secondary property tax is designated for voter-approved taxes. Desegregation funding is not and should not be a voter-approved tax. It is a tax levied to remedy civil rights complaints, which are not by their nature items for a public vote. Desegregation funding should be a primary tax levy.

9. **Conduct an exceptional student services cost study to provide greater equity in funding and access for exceptional student services within the public-school system.**

Rationale: Special education funding weights have not been updated in many years, and the cost of serving exceptional students far exceeds the amount the state provides. In addition, individual weights for specific diagnoses are not necessarily reasonably aligned to the cost of services for students.

10. **Adequately fund the cost of student transportation.**

Rationale: In some districts, the transportation budget, including TRCL levy, is greater than the total transportation budget. In others, transportation must be subsidized with other funds. In some districts, state funding does not cover the costs, and in others, they are forced to levy a local tax to make up for inadequate funding elsewhere.

11. **Provide funding for preschool programs.**

Rationale: Currently, Arizona only provides publicly funded preschool for students with disabilities. All other preschool programs must be tuition-based or grant-funded.

12. **Reform current year funding to a system that provides districts with appropriate stable annual budgeting ability and technical reliability.**

Rationale: Current year funding does not provide enough predictability for school districts to make efficient budgeting decisions. Without access to timely, reliable data, planning is very difficult. Current year funding hits declining districts especially hard.

13. **Prorate funding over the entire school year among all public schools that a student has attended during the year.**

Rationale: Prorating funding over the entire 180-day school year (as opposed to the first 100 days) would guarantee a district funding for a student who switches to a new district/charter some funding for that year.

14. **Provide funding to individual districts to implement locally directed school safety programs as well as student mental health and wellbeing initiatives.**

Rationale: Arizona should increase funding for school safety initiatives to protect students to the greatest extent possible. Recognizing that mental health is a critical component of overall student wellbeing, support for these services should be part of a robust school safety plan.

15. **Invest in technology equitably for all students.**

Rationale: Access to reliable, up-to-date technology is critical for student success, and to continue learning outside the classroom, particularly in rural areas.

Preserve and Strengthen Local Control

1. **Ensure local control and flexibility in managing funds and programs when possible, given the Arizona constitutional requirements of a general and uniform public school system.**

Rationale: Maintaining local control is a core tenet of ASBA's mission. However, maximum flexibility between capital funding and operating needs may contribute to shortchanging capital investment. The committee added a call for the state to expressly fund its capital obligations under the Constitution with funds dedicated for that purpose.

2. **Maintain board control of all secondary property tax levies for district schools.**

Rationale: Locally elected school boards are exclusively responsible for asking voters to tax themselves to fund public education. The Legislature should not create new secondary taxes and impose them solely to punish school districts it deems as having tax rates that are too high.

3. **Change "override/budget increase" language to better reflect what voters are being asked to support.**

Rationale: "Budget override" is an outdated term that tends to lead voters to believe that something is wrong in the district. If transparency is important, the terminology should accurately reflect what is being asked of the voters.

4. **Allow school districts greater flexibility in the divestiture or use of taxpayer-funded assets.**

Rationale: School district buildings and equipment are the property of the taxpayers in the school district, even if they are built partially with state funds. School boards and the voters they represent should have the final say over when and how school district buildings are used, repurposed, and/or disposed of without burdensome and intrusive state regulation.

5. **Allow districts the option to operate individual schools for 200-day years and increase accompanying funding.**

Rationale: Currently only entire districts may operate a 200-day calendar, and the 5% adjustment is insufficient to cover the costs. Individual schools would allow districts to operate specialized programs for those parents who choose them without impacting entire districts.

6. **Oppose legislative intrusion on school site budgeting decisions.**

Rationale: This was included to challenge efforts by the Legislature to continue restricting district decision making on how to allocate funding. This item was initially

intended to challenge true “backpack funding” that would require funding to follow a student to their specific school site.

7. **Maintain exclusive local authority over any measure that would propose to consolidate and/or unify any number of school districts into a larger school district.**

Rationale: The ultimate approval of any measure that proposes the consolidation and/or unification of school districts must lie with the voters of those school districts or their locally elected boards. The tax and expenditure implications of combining districts are great enough that local residents absolutely deserve the final say, either directly or via their elected representatives on the school board.

8. **Support local board authority for student suspensions and open enrollment.**

Rationale: School boards should retain the authority to determine whether a discipline issue in another school district is severe enough to warrant the completion of a suspension for a student enrolling in their district.

9. **Support policy that eliminates the use of corporal punishment in Arizona schools.**

Rationale: As a matter of statewide policy, the committee would like the assembly to establish a position on the issue of repealing the state’s corporal punishment statute. Historically ASBA has opposed as a matter of local control, but knowing the desire of member districts would be helpful in determining future positions.

Improve Outcomes for All Students

1. **Increase the compulsory attendance age from 16 to 18 years.**

Rationale: Increasing the compulsory age of attendance will increase graduation rate/educational attainment and decrease the number of students who become “opportunity youth” rather than pursuing college or a career.

2. **Enact research-based reform of the English Language Learner model of instruction to improve student achievement that does not segregate English Language Learners from English speaking peers; integrates reading, writing and oral language instruction; and incorporates multiple assessment measures to demonstrate English proficiency.**

Rationale: The four-hour model of ELL instruction has become a hindrance to the success of ELL students. ASBA advocates allowing flexibility in the four-hour requirement for all students, but especially those who are in their second or subsequent year of ELL instruction. The current system does not allow for sufficient content delivery and causes students to fall behind academically.

3. **Fully restore 9th grade CTE/CTED eligibility and funding to allow students to explore career fields and/or certification completion.**

Rationale: Allowing 9th grade students to enroll in JTED courses increases the probability a student will be engaged throughout high school and will complete a CTE certification by the time the student graduates.

4. **Allow CTEDs to serve students through age 21 regardless of graduation status.**

Rationale: Currently, CTEDs are not able to continue to serve students once they graduate from high school, because the state ceases to provide funding for students who have received a diploma. They must transition to a community college program if one is available.

5. **Support policy that recognizes, respects, and promotes teaching as a profession.**

Rationale: It is important for the Legislature and the public in general to recognize, as ASBA does, that teaching is a profession that requires a set of standards for qualification. Undermining those standards is harmful to the K-12 system.

6. **Defend against efforts to chill the free speech rights of school employees.**

Rationale: School employees take seriously their statutory obligations to keep electoral politics out of the classroom. Any attempts to expand this obligation or impose fines or sanctions harms the process of academic inquiry and critical thinking, and may even infringe on an employee's right to free speech as a private citizen.

7. **State standardized testing shall not be used for any purpose other than a year over year measurement of student growth in the tested subject.**

Rationale: The insistence on using standardized testing to "grade" schools as a method of encouraging them to improve has not been successful. Testing results and any type of accountability system should be used only to identify potential instructional deficiencies and improve them, without public shaming or financial repercussions.

8. **Support policy that protects school district employees and students from discrimination based on sexual orientation and gender identity.**

Rationale: As a matter of educational equity and encouraging opportunity for all individuals, ASBA should support efforts to include prohibitions on discrimination on the basis of sexual orientation and gender identity in federal, state, and local educational and employment policies where they do not currently exist.

Require Public Accountability for Taxpayer Dollars Spent on Education

1. **Establish financial and academic transparency for all institutions and individuals that accept public funds.**

Rationale: ASBA believes that all public funds, including those that go to charter schools and private schools through ESAs/vouchers, should be accounted for in the same manner, and if the public policy of Arizona is to make assessment results available for all public education programs, the public has a right to the same information on all the education programs it is funding.

2. **Repeal any program that gives public funds for private schools, vouchers (Empowerment Scholarship Accounts) and private school subsidies (Student Tuition Organizations) and prevent any future expansion.**

Rationale: ASBA does not support public funding of private schools.

3. **Require comparative classroom spending audits for school districts and all other institutions that accept public funds and define “classroom spending” as both instructional spending and student support spending.**

Rationale: The auditor general’s current classroom spending report is applied only to school districts, so the public has no similar window into the spending patterns of charter schools. Further, the definition of “classroom spending” is too narrow and does not encompass all that is essential to helping students succeed.

4. **Require consistency in the recusal of a board member from a decision in which the member or the member’s employer stands to benefit financially.**

Rationale: Rather than continue to address school board conflict issues on a case-by-case basis Legislatively, ASBA should have a clear and consistent position to support policy that requires recusal from an issue before a public body. This policy should be consistent across state and local government.

5. **Enforce financial requirements and seek recovery of improperly received and/or expended public funds by charter and private schools and organizations.**

Rationale: The lack of adequate oversight in the ESA and STO programs makes it difficult to hold bad actors accountable that misuse these funds. Additionally, assets held by charter operators that cease operation are currently not recoverable by the state.