



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

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**DATE OF MEETING:** December 10, 2013

**TITLE:** Study and Approval of the Governing Board's Legislative Priorities for the 2014 Fiscal Year

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**BACKGROUND:**

For several years, the Governing Board has established legislative priorities for the District to guide and direct the Governing Board Members and other District representatives in their conversations and efforts 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's mission.

The priorities set by this item are separate from, but may overlap, those adopted by the Arizona School Board Association, which also seeks input from the District's Governing Board in the formation of that organization's own legislative agenda. The Board will recall that it has previously studied and responded to ASBA's request for input into that organization's legislative agenda, and Board representatives have already attended ASBA's legislative meetings for that purpose. The Board provides input to ASBA through separate Board action for that purpose.

In previous discussions, the Amphitheater Governing Board has established the following legislative agenda for Amphitheater Public Schools. This item is presented for review and approval of a new agenda for the coming legislative session(s). It seems appropriate to begin that discussion by reviewing the prior year agenda to determine whether any modification of what follows is required. Last year's agenda has been updated, however, to reflect the most current information.

The simple legislative agenda statements enumerated below are following by "talking points" that may be used by district representatives to illustrate the issues in their discussions with lawmakers and other interested parties.

**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 and respond to federal and state mandates require maintenance of 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, much less the increasing demand of public education, until state voters overwhelmingly approved Prop 301, ensuring that, at a minimum, schools could rely upon their funding keeping pace with inflation.

- Even with 301's inflation factor (2% max.), school district budget increases since passage of the Proposition were largely absorbed by increased costs for state retirement contributions, energy and fuel, and health care.
- More remarkably, over the course of several recent years, the legislature actually violated the requirements of the Proposition and failed to make appropriations for full inflationary funding; the Arizona Supreme Court recently ruled so.
- Thus, despite the intentions of the people of Arizona, Arizona school districts find themselves far behind where they should be in terms of their funding. At the same time, the legislature and State Board of Arizona have mandated new programs and changes for public schools that require increased financial support.
- This is untenable. It is unfair. It deprives our students and our schools of the resources they need to succeed.

## **2. Restore Career Ladder Funding**

- Career Ladder, following the Gilbert School District lawsuit ruling, is being phased out.
- While Career Ladder is available in less than 30 school districts, this important program serves a significant portion of the Arizona student population -- 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 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.
- The loss 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. In advancing Prop 101, the legislature correctly recognized that new programs imposed upon government should have dedicated funding sources. In the same way, §15-910 protects existing school district programs and services with dedicated resources for certain mandates.

- 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 state assessments and NCLB measures.
- 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 the 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. The Arizona Supreme Court's mandate in Roosevelt Elementary School District No. 66 v. Bishop has gone unobserved for years.
- New school construction support has also become woefully inadequate given increases in building material costs.
- Anecdotes of concrete gymnasium floors and inadequate site preparation at SFB funding schools illustrate the lack of adequate SFB funding to support even the most ordinary school elements.
- 35 year old air conditioners and unsafe fire alarm systems are required to fail before they can be replaced with any SFB support due to the limited funds available -- an absurd reality.
- 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.
- Legislative mandates for evaluation outcomes, loss of continuing status, and dismissal from employment deprive school boards of necessary local control.
- State mandates ignore inherent deficiencies in state and data systems that have not been supported with capital funding from the state.

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**RECOMMENDATION:**

This item is presented for the Board’s consideration and approval, which is recommended.

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**INITIATED BY:**



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Todd A. Jaeger, Associate to the Superintendent

Date: December 5, 2013



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Patrick Nelson, Superintendent