

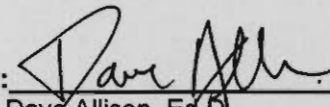
**Gilbert Public Schools**

**BOARD AGENDA ITEM**

**Item:** Selection of ASBA's Top Ten Priorities for the 2011 Legislative Session

**Date:** September 13, 2011

**Approved by:**

  
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Dave Allison, Ed.D.  
Superintendent

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**Recommendation:**

Governing Board Member's selection of ASBA's Top Ten Priorities for the 2011 Legislative Session.

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*"Quality leadership and advocacy for children in public schools."*

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MEMO TO: GOVERNING BOARD MEMBERS AND SUPERINTENDENTS

FROM: JANICE PALMER  
Director of Governmental Relations

DATE: July 26, 2011

SUBJECT: ASBA'S TOP TEN PRIORITIES FOR THE 2012 LEGISLATIVE SESSION

It is now time to determine your top ten priorities for the upcoming year. Enclosed are the 2012 Political Agenda that reflects membership's action from the June 25<sup>th</sup> Delegate Assembly, as well as a form for your district governing board to determine its top ten legislative priorities that ASBA should pursue for the 2012 Legislative Session. This year, you are receiving these items more than a month early to give your Governmental Relations Team more time to develop our legislative agenda and strategy.

Please take this opportunity to schedule on your next board agenda time to discuss the 2012 Political Agenda and determine your district's top ten priorities. **Please email ([jpalmer@azsba.org](mailto:jpalmer@azsba.org)) or fax (602-254-1177) your top ten priorities by the close of business on September 30, 2011.**

Once submitted, this input from members will be compiled by staff and will determine ASBA's 2012 Top Ten Priorities. These will be available on ASBA's website and at the ASBA/AASBO/ASA Legislative Workshop on Wednesday, December 14, 2011 at the Biltmore Conference Center in Phoenix.

Thank you in advance for your active participation in ASBA. If you have any questions, please do not hesitate to call me at 602-254-1100 or email [jpalmer@azsba.org](mailto:jpalmer@azsba.org). **Once again, all top ten priorities are due at your county meeting or by the close of business on September 30, 2011.**



Arizona School Boards Association

**2012 POLITICAL AGENDA PRIORITIES**

As a governing board, please select the ten (10) legislative action proposals your school district believes are the most important ones for ASBA to pursue in any Special Session on Education and/or in the Fiftieth Legislature, First Regular Session. **PLEASE RETURN TO ASBA BY THE CLOSE OF BUSINESS SEPTEMBER 30, 2011.** They will be compiled to determine ASBA's Top Ten Priorities. Thank you much.

**I. ADVOCACY FOR CHILDREN AND STUDENT NEEDS**

- 1. Seek and support legislation that adequately encourages, assists and financially supports the curriculum and instructional needs of Arizona's public schools to ensure college and career readiness of all students.
  - 2. Seek and support legislation to increase mandatory school attendance requirements until graduation level competency has been reached or until 18 years of age.
  - 3. Oppose efforts to undermine the authority of Arizona Interscholastic Association and its members to determine eligibility for student participation in interscholastic activities.
  - 4. Seek and support legislation that will fund programs to prepare and support children and families for success in public schools.
  - 5. Oppose efforts to curtail communications in a language other than English for students, parents and other constituents and advocate for ADE to publish critical items intended for parent distribution in Spanish as well as English.
  - 6. Oppose legislation to require school districts to report or determine the immigration status of students.
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## II. LOCAL CONTROL/GOVERNANCE

- 1. Advocate for preservation of community governance of school districts through elected representation and oppose federal, tribal, state, or administrative efforts to erode the authority of governing boards.
- 2. Oppose unfunded and burdensome legislative mandates.
- 3. Oppose any effort not initiated by local school districts, through their governing boards or voters, to consolidate or unify school districts.
- 4. Seek and support legislation that ensures that all public schools are funded and governed in a manner consistent with the Arizona Constitution's requirement of a general and uniform public school system, so that substantial disparities in the treatment of schools are not created by the law.
- 5. Oppose legislation that would limit district control of performance pay for teachers under the Classroom Site Fund, while acknowledging statewide best practices as demonstrated by the Performance Pay Task Force.
- 6. Advocate the consistent treatment of school districts with other political subdivisions and governing board members with other elected public officials in matters of general governance, open meeting law, and public records law.
- 7. Seek and support changes to law regarding elections and school district resources that clearly articulate free speech rights of both school employees and school board members.
- 8. Advocate that the Legislature revise A.R.S. 15-424(D) to allow candidates in an uncontested election, which has been cancelled, to be declared duly elected by the supervisors of that county rather than appointed.
- 9. Seek and support a change to student enrollment laws that would allow a school district to honor a disciplinary action of a student from another district when enrolling that student.
- 10. Seek and support Legislation that provides Governing Boards with flexibility in committing and prioritizing the use of education funds.

- 11. Seek and support legislation that would allow the removal of a governing board member for excessive absences at meetings.
- 12. Support the retention of the county school superintendent's role in appointing governing board vacancies.
- 13. Seek and support the ability of a school district governing board to create a process to censure a board member.

### III. ACCOUNTABILITY

- 1. Seek and support the continued re-evaluation and refinement of the Arizona Instrument to Measure Standards.
- 2. Seek and support legislation to ensure that all schools receiving public funds are equally accountable financially to the public by complying with conflict of interest laws. Further, seek to ensure that charter funding systems are transparent, do not allow comingling of funds, and reverts all public funds and property to the state, if a charter school ceases to operate or loses its charter.
- 3. Advocate for continued local control of school improvement plans created and implemented for underperforming and persistently low performing schools and support other interventions as a last resort.
- 4. Oppose efforts to require verification of free and reduced lunch applications beyond federal guidelines.
- 5. Advocate a change to the Arizona Constitution to state that the State Superintendent of Public Instruction hold a teaching, principal, or superintendent certificate and that the Superintendent of Public Instruction be employed by the State.
- 6. Seek and support legislation to allow school districts and property owners to reach a solution to the Pesticide Covenant as it relates to new school sites.
- 7. Encourage the Arizona Department of Education to conduct research to determine the N number that is statistically valid.

- 8. Seek and support legislation which creates greater flexibility in procurement policies and procedures.
- 9. Support legislation that accurately, consistently and fairly measures the academic performance of individual schools and the district as a whole.
- 10. Support efforts to implement an accurate, statewide data system that enables local districts to use data to inform financial, student, and personnel decision making, with the cost of implementation to be funded and provided to each district by the state.
- 11. Support a requirement that county school superintendents have a teaching, administrative, or superintendent certificate.

#### **IV. TAXATION/REVENUES**

- 1. Advocate structural change to Arizona's tax system to support funding for public education, other child support services, and a competitive business climate while opposing any change to the existing property tax structure unless a comprehensive tax reform proposal is implemented to adequately address the needs of public education.
- 2. Oppose any legislation that prohibits local school district governing boards from supplementing state funding and budget provisions through M&O and flexible capital overrides as well as bond authorizations.
- 3. Advocate for repeal of both private student tuition and public extracurricular tax credits with those funds to be dedicated to public education, while demanding additional accountability for student tuition organizations until ultimate repeal is accomplished.
- 4. Seek and support legislation to clarify A.R.S. 15-915 and require ADE to provide the commensurate state aid revenue to districts that lose assessed value regardless of the cause of the reduction so that there is no loss of revenue to the district.
- 5. Seek and support efforts that would serve to maximize and increase the earnings of the school trust lands for the benefit of K-12 public education.
- 6. Seek and support legislation to ensure all property owners in the state of Arizona are paying the full qualifying tax rate to support education.

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- 7. Oppose, or advocate the repeal of, any measure that requires a supermajority vote to increase state or local revenues.
  - 8. Oppose efforts to permanently repeal the state equalization assistance rate.
  - 9. Oppose the various Taxpayer Bill of Rights (TABOR) legislation.
  - 10. Oppose efforts to undercut voter-approved measures.
  - 11. Seek and support legislation to exempt public schools from municipal impact fees.
  - 12. Allow school districts an appeals process to seek correction of census estimates.
  - 13. Seek and support legislation to permanently address the Constitutional Aggregate Expenditure Limit formula.
  - 14. Advocate for a review of all proposed legislative mandates to ensure any new requirements will have an identified funding stream.
  - 15. Seek and support legislation requiring the Arizona State Legislature to pass a state budget for the ensuing fiscal year no later than April 1 of the previous fiscal year.
  - 16. Seek and support legislation to provide for direct reimbursement, grants, and/or other incentives to schools for energy efficiencies.
  - 17. Advocate that the Legislature modify the current freeze on the acquisition of school sites to allow acquisition of sites from the School Facilities Board or school district on State Trust Land according to the Arizona Constitution highest and best use provision.
  - 18. Advocate to allow the purchase of equipment with bond money.
  - 19. Seek and support state funding for any tax judgments that are due to inaccurate rate settings by a county or state.
  - 20. Strike the bond indebtedness limits found in Arizona statutes so that districts may utilize the limits found in Arizona's Constitution.

- 21. Advocate the Legislature change the designation of “override” elections to “local effort” elections and adjust other language in the law suggesting that these elections provide “extra” funding.
- 22. Advocate for greater flexibility to public schools/districts to determine how tax credit funds are used.
- 23. Advocate for legislation that requires an annual review/revision of travel mileage reimbursement rates.

## **V. FUNDING**

- 1. Advocate for a complete revision of the school finance formula.
- 2. Seek and support legislation that addresses issues related to school capital issues, including minimum building standards, new school construction, building renewal, and soft capital.
- 3. Seek and support full funding for voluntary educational preschool programs and oppose any effort from federal or state bodies or agencies to require preschool in the state of Arizona on a mandatory basis.
- 4. Seek and support legislation to adequately fund English Language Learners.
- 5. Seek and support legislation to ensure full funding for inflation, especially in years in which the rate of inflation is greater than 2 percent and vigorously oppose at the legislature and in the courts any attempts to not fully fund at least the 2 percent inflation factor as approved by the voters in Proposition 301 (2000).
- 6. Oppose legislation that takes away district authority to comply with federal desegregation court orders and Office of Civil Rights agreements.
- 7. Seek and support legislation to fully fund excess utility costs inside the Revenue Control Limit (RCL).
- 8. Oppose any effort to divert Medicaid in Public Schools (MIPS) reimbursement dollars from school districts to the state general fund.



- 9. Advocate for the continuation of funding career and technical education at both the State and Federal levels.
- 10. Oppose any measure that would require a certain percentage of district budgets be allocated to classroom expenditures, as defined by the State Auditor General, with the recognition that some "outside the classroom" expenditures directly benefit classroom learning of students.
- 11. Seek and support legislation that enables Joint Technological Education Districts (JTEDs) -- including all verbiage from items a through d.
- 12. Seek and support legislation to eliminate the Budget Balance Carry Forward limit in the M&O funding calculation.
- 13. Seek and support funding of programs that are proven to enhance school safety, including, but not limited to gang and drug prevention programs.
- 14. Seek and support legislation that would move the determination of the construction inflation costs from the Joint Legislative Budget Committee to the School Facilities Board.
- 15. Advocate for full state funding of Arizona State Retirement System employer contribution increases without shifting the cost to employees.
- 16. Oppose any mandatory increase in calendar days.
- 17. Encourage legislation to provide funding for school districts to cover the cost of elections that are state mandated.
- 18. Seek and support efforts to create a statewide database of digital content to be used in the classroom to enhance student achievement while lowering costs.
- 19. Seek and support funding to hold harmless for any loss of revenue and to cover transitional costs associated with district approved unification efforts.
- 20. Encourage legislation which requires the state to pay 100% of the cost of the Structured English Immersion model to districts to implement the program.

- 21. Seek and support the reenactment and funding of voluntary, full-day kindergarten.
- 22. Distribute Prop. 301 funds on an unweighted student count versus a weighted student count.
- 23. Seek and support the removal of requirements for public schools to use public school resources to evaluate, test and otherwise serve special education students who are enrolled in private school.

## **VI. PERSONNEL**

- 1. Seek and support legislation that provides increased funding for school personnel salaries.
- 2. Seek and support legislation providing all school districts with 5.5% in revenue to fund a system that promotes or rewards teacher individual performance, including merit pay.
- 3. Oppose any legislation that would further restrict the local board's ability to terminate non-certificated personnel.
- 4. Oppose any legislation to impose mandatory collective bargaining as a method of determining salaries and working conditions for employees.
- 5. Oppose any legislative attempts to reduce the governing board's authority to use lawful forms of affirmative action.
- 6. Seek and support legislation that prevents the award of unemployment compensation to substitute teachers and other substitute employees.
- 7. Seek and support legislation providing that the school district may require medical or psychological examination of an employee by a physician of the board's choosing and at the district's expense.
- 8. Expand existing programs for the provision of instruction from proficient teachers through technological means.
- 9. Encourage legislation to provide additional funding to help low income and small rural/isolated schools, as well as for high-need subject areas, to attract and retain highly qualified teachers.

- 10. Encourage legislation which allows public colleges and universities to offer a tuition discount to teachers who need to meet the ESEA criteria for becoming "highly qualified" and continue to teach in schools that have a high concentration of economically disadvantaged students.
- 11. Seek and support legislation that would set a mandatory minimum contribution rate for the Arizona State Retirement System that would be based on historical averages and prevent large variant increases or decreases from year to year.
- 12. Encourage the development of a comprehensive professional education certification system to establish an independent Professional Licensing Board.
- 13. Initiate a change to current legislation which will allow for the superintendent evaluation to be confidential and not public record similar to the A.R.S. 15-537 regarding teacher evaluations.
- 14. Advocate for flexibility with regard to Highly Qualified regulations.

## **VII. FEDERAL CONCERNS**

- 1. Advocate for increasing the federal investment in public education to meet the federally-imposed mandates and subsequent cost increases for special education (IDEA) and implementation of the Elementary and Secondary Education Act (ESEA).
- 2. Advocate for the following changes in the new reauthorization of the federal Elementary and Secondary Education Act (ESEA).
- 3. Urge the Arizona congressional delegation to ensure that adequate federal funds are available to support and sustain federally initiated supplemental programs such as Title 1, Title 2 and gifted programs as well as federally mandated programs and oppose efforts to make these programs into competitive grants.
- 4. Advocate for the continuation of full funding for federal impact aid for Group A and Group B students through Public Law 81-874 and for increased funding for school construction through Public Law 81-815.

- 5. Encourage legislation that would direct disbursement of forest fees and payment in lieu of taxes on all federal land on a formula basis whereby a minimum of fifty percent would be distributed to the public schools in the county.
- 6. Seek and support legislation that makes student/parent collegiate grant and loan programs more accessible and affordable.
- 7. Urge the codification of Congressional intent to firmly establish Medicaid responsibility for IDEA activities and direct medical services while recognizing that school-based Medicaid programs are good fiscal policy.
- 8. Ensure that the E-Rate is continued, making advanced telecommunications services affordable for the nation's schools and libraries.
- 9. Defeat all federal voucher and tuition tax subsidy proposals that result in public funds supporting private K-12 institutions.
- 10. Seek and support legislation aligning the Higher Education Act with ESEA to ensure a pool of highly qualified teachers.
- 11. Seek and support developmentally appropriate early education standards for Head Start that are aligned with state academic content standards and reflective of the expectations of local schools.
- 12. Support Arizona's efforts to apply and implement its Race to the Top plan.
- 13. Support supplemental federal grants to enhance school district innovation and further student success.
- 14. Advocate Arizona maximize opportunities to receive federal matching monies for all education-related issues.
- 15. Encourage legislation that will allow classified employees to be hired to fill sports and academic coaching positions and be paid the same stipend as other coaches rather than having to track their hours and be paid hourly.