

## April 12, 2010, Regular Board Meeting

### Title

1. SUPPORT OF GUBERNATORIAL VETO OF SENATE BILL 6/HOUSE BILL 7189

### Recommendation

That the Duval County School Board request that Governor Crist Veto Senate Bill 6/House Bill 7189.

### Description

**POLICY IMPACT:** The Florida Constitution provides that the School Board "shall operate, control and supervise all free public schools within the school district" and that the Legislature shall provide adequate funding for a "uniform, efficient, safe, secure and high quality system of free public schools..." The Legislature has provided no funding for the \$900 million program established by SB 6/HB 7189 and this unfunded mandate would adversely impact the ability of the Duval County School Board to meet its fiscal responsibilities consistent with high quality education policies. Further, SB 6/HB 7189 is an intrusion into the day-to-day operation and local control of the school district and would interfere with existing successful programs and policies and the collaborative working relationship of the District and its teachers. The fiscal aspect of SB 6/HB 7189 and its operational impact on the students, teachers, and administration of the Duval County Public Schools is inconsistent with the policies and responsibilities established by the Florida Constitution for the funding, operation, and administration of the public school system.

**SUMMARY OF CONCERNS:** SB 6/HB 7189 relates to how teachers and principals are evaluated, compensated, and how they maintain certification and professional service contract status. Duval County Public Schools (DCPS) has led the State in using student learning gains based on FCAT and District developed End of Course (EOC) assessments, to compensate teachers and principals for student progress and for working in high need schools. These initiatives have been accomplished through collaborative efforts by the School Board, District administration, school-based administration, and teachers as represented by Duval Teachers United (DTU). DCPS should have been consulted regarding our experience on what works on these reform initiatives.

Our experience tells us that State directed plans often do not account for the reality of schools, especially in schools that are currently lower performing. Both the State data on FCAT learning gains and our own District data on using pre/post EOCs indicate it is harder to show gains in schools with a higher percent of students qualifying for free/reduced lunch.

Serious concerns have not been addressed about the consequences of SB 6/HB 7189 which include:

1. The cost of implementation for the fiscal years 2011-2014 will be taken out of existing funds. Districts will lose 5% of funds beginning in 2011. At the same time, Districts will lose an additional 5% of their funds due to the loss of federal stimulus money. Development of EOCs that are reliable and valid and can stand legal test, will cost districts millions of dollars to develop and certify even in districts like DCPS which have already developed EOCs.

2. Under the legislation, too many decisions (evaluations, compensation, and certification) will be based on a single test on a single day. All research to date indicates the need for multiple measures to be used in determining any high stake's decision regarding students and teachers.
3. There has been a severe lack of involvement of constituent groups of parents (PTSA), and school boards (FSBA), superintendents (FADSS), and teachers (FEA) in developing the far reaching plans envisioned in SB 6/HB 7189. The history of pay for performance plans is that they are more successful when the various constituent groups are involved in helping craft the key elements.
4. The legislation goes beyond what the State submitted for its Race to the Top (RttT) application in that the RttT application only required a majority of evaluation and compensation be based on student learning gains.
5. Prohibiting any consideration for teacher compensation based on advanced degrees or experience was not included in the RttT application and unnecessarily limits School Boards from incentivizing teachers who, on their own time and at their own expense, further their knowledge and skills in an area critical for students. Examples include teachers who achieve advanced degrees to be better prepared and authorized to teach acceleration courses such as Dual Enrollment, Advanced Placement, International Baccalaureate (IB), or Advanced International Certificate of Education (AICE), as well as reading, mathematics, science, exceptional student education, and other specialized areas. While we agree that the salary scale for experience should be more compact, to prohibit years of experience completely is contrary to the reality that it takes years to become excellent in the science and art of teaching.
6. Placing so much emphasis on a single test in time increases the pressure for students and teachers to succeed. The consequences of such high stakes testing predictably leads to curriculum and instruction being narrowed to only cover items perceived to be "on the test." Current concerns regarding such a narrowing will be exacerbated significantly.
7. The bills require Districts to trust that the future State accountability systems will be fairer and more appropriate than those currently in force. Issues surrounding the disincentives to teach in low performing schools under the State's School Recognition and MAP programs indicate that this sort of program can have the opposite effect of the intended purpose. The severe discrepancy in cut scores in reading to determine proficiency between elementary and high school students further limits the confidence of school districts that the end result of these initiatives will help us staff our lowest performing schools with our best teachers and principals.

While we agree with the intent of the bills to make evaluations, compensation, and continuing contracts of teachers more dependent on documented student learning gains, the concerns and adverse fiscal and human resource consequences of this legislation far outweigh the positive elements. Accordingly, SB 6/HB 7189 should be vetoed.

### **Strategic Plan Goal**

Strategic Plan Goal 6 - Deliver High Quality Support for Schools: Management, Operations & Customer Service

**Financial Impact**

N/A

**My Contact**

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