

## **2021 Legislative Positions**

**(Adopted by the Delegate Assembly via Zoom, on October 27, 2020)**

**GSBA represents the collective resolve of our members, the 180 elected boards of education. These legislative positions determine whether GSBA supports legislation, opposes it, or remains neutral. They are not necessarily issues for which we are seeking immediate legislation.**

*Members have two opportunities each year to propose additions, deletions, or amendments to the GSBA legislative positions. In February, the positions are sent to our members for review and proposed changes. The Governmental Operations Committee (GOC), a large group appointed by the GSBA Executive Director, holds an annual meeting in April to review the positions and proposals from local boards and makes its recommendations to the Delegate Assembly in June. Local boards may also propose changes to the positions directly to the Delegate Assembly. Each school board is asked to select a delegate to represent them at the annual business meeting of GSBA. The positions are adopted by these delegates. NOTE: Due to the pandemic and changes in the legislative schedule, the 2020 GOC and Delegate Assembly meetings were held virtually in October.*

### **I. GOVERNANCE OF EDUCATION**

#### **A. Local Board Authority**

##### **1.A.1 Statutes Limiting School Board Constitutional Authority**

GSBA supports the constitutional authority vesting exclusive control over public schools to local boards of education as the level of government closest and most responsive to the taxpayers and parents of the children being educated. GSBA opposes any legislative measures infringing on that authority.

##### **1.A.2 Sovereign Immunity**

GSBA strongly urges the General Assembly not to pass legislation which would waive sovereign immunity of local school systems.

##### **1.A.3 Local Legislation**

GSBA proposes that one member of a local state legislative delegation should not have the authority to prevent a local school board from carrying out its approved actions. The local state legislative delegation votes regarding the local school system should be governed by a simple majority vote.

##### **1.A.4 Virtual Meetings**

GSBA proposes that the Open Meetings Act permit school boards to conduct meetings virtually at the agency discretion, in the same manner that agencies with state-wide jurisdiction are permitted to conduct meetings virtually by telephone conference.

## **B. Elections and Appointments**

### **1.B.1 Selection of the Georgia Board of Education and State School Superintendent**

GSBA supports the non-partisan election by popular vote of State Board of Education members by Congressional District to serve a 4-year staggered term. GSBA further supports the appointment of the State School Superintendent by the elected State Board of Education

### **1.B.2 Non-Partisan Elections for School Board Members**

GSBA supports legislation calling for the non-partisan election of local school board members.

### **1.B.3 School Board Member Qualifications**

GSBA opposes legislation that imposes qualifications to run for a position on the School Board that are greater than those qualifications imposed on other elected officials.

### **1.B.4 Written Notification of Local Legislation**

GSBA supports general legislation requiring written notification is made directly to any impacted local boards of education on local legislation altering the terms, make-up, compensation, qualifications, or organization of the elected local boards of education.

### **1.B.5 Local Governance Structure**

GSBA opposes any change to the local governance structure of an elected local board of education that appoints the superintendent.

## **C. Choice**

### **1.C.1 Public School Choice**

GSBA believes that public school choice plans at the local school district level may under specified conditions promote equity, innovation, accountability, increased parental involvement and overall school improvement. Furthermore, GSBA believes that any choice option should include the same accountability requirements for the uniform education of all students. However, GSBA opposes state or federal legislation mandating choice, and feels that decisions regarding choice or alternative school programs involving public schools should be the responsibility of local boards of education.

### **1.C.2 Vouchers**

GSBA is opposed to vouchers, tuition tax credits, k-12 education savings plans, or scholarships whose purpose is to allocate public funds to private schools or home study.

### **1.C.3 Accountability**

GSBA urges the General Assembly to include accountability measures in any voucher program including financial and policy transparency, performance evaluation measures, and consequences for poor performance.

#### **1.C.4 Dual Enrollment Cap on Credit Hours**

GSBA opposes legislation that includes counting dual enrollment credit hours toward the Technical College Certificate (TCC) hours in any “cap” for dual enrollment credit hours.

### **D. Personnel**

#### **1.D.1 State Leadership and Teacher Initiative**

GSBA supports the creation of a state-wide initiative to identify and recruit talented candidates into teacher and education leadership preparation programs and provide comprehensive recruitment, induction and retention strategies for all local school districts.

#### **1.D.2 Teacher Preparation**

GSBA supports providing strategies for success designed to better prepare individuals for the teaching profession.

#### **1.D.3 Pilot Compensation Programs**

GSBA urges the state to pilot new teacher and leader compensation programs prior to adoption to evaluate the effectiveness and viability of selected compensation scenarios.

#### **1.D.4 Board Member Benefits**

GSBA supports the revision of the Georgia Code such that local boards of education can provide group medical insurance coverage for a member of the Board and the spouse and dependents of a member leaving office on or after December 31, 2006 and such board member pays the entire cost of such coverage.

#### **1.D.5 Dual Enrollment Teachers**

GSBA opposes legislation that prohibits teachers who are directly employed by a high school from teaching dual enrollment courses for postsecondary partners.

#### **1.D.6 Teacher Mentoring Program**

GSBA supports the funding of a comprehensive mentoring program for new teachers.

## ***II. THE STATE/LOCAL FUNDING PARTNERSHIP***

### **A. Taxation**

#### **2.A.1 Tax Reform**

The Georgia School Boards Association supports tax reform based upon sound data and research that will bring about a tax system that yields adequate funding, is fair, is stable, and is transparent.

### **2.A.2 Alternative Revenue Sources**

GSBA supports an amendment to the Georgia Constitution to authorize the General Assembly to enact legislation that would allow local school systems to receive revenues from tax sources other than local property taxes, including but not limited to, a 1% local option sales tax (LOST) for general operations. Funds from this source should not supplant appropriations by the General Assembly for general operations.

### **2.A.3 Equalization Formula**

GSBA urges the General Assembly to consider the average real estate property values, the average per capita income, percentage of students on free and reduced meals and the number of taxpayers who live near or below poverty income in determining the “wealth” of school districts for equalization purposes.

### **2.A.4 Development Impact Fees**

GSBA urges the General Assembly to propose a constitutional amendment allowing for school board authority to levy and collect impact fees for school purposes and to pass enabling legislation.

### **2.A.5 Road and Sales Tax Removal**

GSBA urges the General Assembly to exempt local boards of education from paying taxes on motor fuel.

### **2.A.6 Tax Commissioners or Tax Collectors Fee**

GSBA urges the General Assembly to amend current statutes to ensure the fee paid to the county for collecting school taxes is no more than 2.5% of the taxes actually collected.

### **2.A.7 Study Committee on Local Five Mill Share**

GSBA urges an examination of the impact of the five-mill share on local school system funding.

### **2.A.8 State Tax Policy**

The GSBA urges the General Assembly to develop a state tax policy which addresses the continued erosion of the State Revenue Base through passage annually of tax exemptions from the sales and use of tax, income tax and other revenue producing state taxes.

GSBA further urges the General Assembly to place a moratorium upon subsequent introduction and passage of tax legislation which reduces the state revenue base until a tax policy can be adopted which responsibly considers the state’s revenue production potential and the state’s ability to adequately meet its funding obligations to each department of government.

### **2.A.9 Impact of Tax Legislation**

GSBA urges the General Assembly to recognize the impact of proposed tax legislation and/or Constitutional amendments on the state and local revenue base and to defeat any which may undermine state government services and public education.

### **2.A.10 Capital Outlay for Educational Purposes**

GSBA opposes legislation which would redefine "capital outlay projects for educational purposes" to include SPLOST expenditures for non-educationally related projects such as street, bridge, utility and similar improvements.

### **2.A.11 Exclusion of Local Sales Tax from State Sales Tax Exemptions**

GSBA supports the exclusion of local sales tax from state sales tax exemptions and urges the General Assembly to enact legislation that would modify current law and prevent future law from including local sales taxes in state sales tax exemptions.

### **2.A.12 Local Legislation to Add Use of ESPLOST**

GSBA supports a Constitutional amendment to allow local legislation to include maintenance and operations as an allowable use of the Education Special Purpose Local Option Sales Tax in that school district.

### **2.A.13 Abatements**

GSBA supports legislation that requires any abatements of school taxes be subject to the approval of the local school board.

### **2.A.14 Amendment of the Title Ad Valorem Tax (TAVT)**

GSBA supports amending the title ad valorem tax (TAVT) statute to make it more transparent, consistent, and equitable compared to the revenue received under the prior ad valorem/sales tax system.

### **2.A.15 Annexation**

GSBA strongly urges the General Assembly to examine legislation on annexation that provides for input from school systems that are affected. School systems often budget two to three years in advance and changes in district lines can dramatically affect school budgets. GSBA further urges that the General Assembly should consider extending the period of enactment of the changes in district lines to give systems more time to adjust their budgets.

### **2.A.16 SPLOST Timeline**

GSBA supports amending the Constitution to extend the timeline for collection of Educational Special Purpose Local Option Sales Tax (ESPLOST) from five years to six years.

## **B. Capital Outlay**

### **2.B.1 Capital Program Flexibility/Funding**

GSBA urges maximum funding of capital outlay programs to accommodate student growth and diverse facility needs of local systems.

## **2.B.2 Facility Guidelines**

GSBA urges the State Department of Education to revise facility guidelines/regulations to include additional classroom space to accommodate appropriate teacher/pupil ratio, instructional needs, technology needs and Pre-K classrooms. GSBA also urges the Georgia Department of Education to revise facility guidelines to more accurately reflect current building cost per square foot.

## **2.B.3 Community Housing Planning and Zoning Impact on Community Education Capabilities/Goals**

GSBA supports legislation requiring that the impact of planning and zoning decisions on the school district be a factor in the decision.

## **C. Personnel Funding**

### **2.C.1 Funding Level**

GSBA supports the allotment and funding of local school and school district personnel at a ratio which ensures quality educational opportunities for all Georgia students.

### **2.C.2 Professional and Staff Development**

GSBA urges the General Assembly to fund professional and staff development at a level which will enable certified personnel to participate in approved professional development activities every five years in order to acquire needed job-related skills.

### **2.C.3 Sick and Personal Leave**

GSBA supports increased funding of sick and personal leave by the state to fully fund the cost of substitute teachers.

### **2.C.4 Unemployment Compensation**

GSBA supports state funding of unemployment compensation for local school system employees.

### **2.C.5 Professional Development for State Mandated Instructional Initiatives**

GSBA urges the state to fully fund the training and professional development needs associated with implementation of any state mandated instructional initiatives.

## **D. Program Funding**

### **2.D.1 Weighted FTE Funding Basis**

GSBA supports legislative proposals which appropriate funds needed for a quality basic education on a weighted FTE student cost-basis.

### **2.D.2 State Lottery**

GSBA opposes use of lottery proceeds to supplant funds for education that historically have been provided by the General Assembly.

### **2.D.3 At Risk and Remedial Summer School Programs**

GSBA urges the General Assembly to fund at risk and remedial summer school programs commensurate with the number of students scoring below grade level as defined by the Office of Student Achievement.

### **2.D.4 Funding of Non-Vocational Labs**

GSBA supports restoration of the funding for the high school non-vocational lab program.

### **2.D.5 Appropriation of Funds For Educational Resources**

GSBA urges that state funds be appropriated in the QBE formula to cover actual costs for consumable materials and supplies, replacement of instructional equipment, textbooks, and media materials, including electronic formats.

### **2.D.6 Training and Experience - Mid-Term Adjustment**

GSBA urges the General Assembly to enact legislation that would allow for mid-term adjustment on the training and experience factor for calculation of system earnings for the most current year for which data is available.

### **2.D.7 Georgia Network for Educational and Therapeutic Support Services (G-NETS)**

GSBA urges that funding for the Georgia Network for Educational and Therapeutic Support Services (G-NETS) network be changed from a state grant to a per FTE earning formula basis.

### **2.D.8 Maintenance and Operation Funding**

GSBA supports increased funding for maintenance and operation as part of the total cost of education.

### **2.D.9 Legislative Impact Statements**

GSBA urges that any legislator or legislative committee proposing a bill in the General Assembly be required to attach a fiscal note detailing how consideration has been given to the bill's possible budgetary impact on local school districts and other governmental entities.

### **2.D.10 Unfunded State Requirements**

GSBA believes that any program, project or requirement mandated by state government should be funded by the state in such a manner that operation or implementation of the mandate does not impose financial or other burdens on local school districts. Any such unfunded mandate proposed by legislation should not become law.

### **2.D.11 Instructional Expenditure Control**

GSBA supports flexibility and controls at the system level which permit transfer of funds among QBE programs.

### **2.D.12 Transportation Reimbursement**

GSBA urges the General Assembly to fund transportation costs for all students.

### **2.D.13 Withholding Proportional Local Share**

GSBA opposes withholding QBE funds from school districts to support state approved Charter Schools.

### **2.D.14 Fund QBE**

GSBA supports the full funding of the QBE funding formula.

### **2.D.15 Funding Rural Broadband**

GSBA supports consideration for the development of an annual funding formula by the state to improve rural schools' connectivity and broadband to close the equity gap.

### **2.D.16 Technology Funding**

GSBA supports state funding for infrastructure for technology.

### **2.D.17 Funding School Nurses**

GSBA supports expanding funding for nursing services to be able to provide a nurse at each school.

### **2.D.18 COVID Funding**

GSBA supports funding for additional support personnel to comply with the new standards in the covid-19 environment.

## **E. Retirement**

### **2.E.1 Health Insurance and Retirement for Non-Certified Employees**

GSBA supports state funding for employer's cost of health insurance and retirement funding for non-certified personnel with the QBE FTE formula.

### **2.E.2 Public School Employees Retirement**

GSBA urges the General Assembly to increase Public School Employee Retirement benefits so that they are comparable to the benefits paid by TRS.

### **2.E.3 Teacher Retirement System**

GSBA opposes legislation directing the TRS Board of Directors to adopt high-risk investments in their portfolio that may endanger the actuarial soundness of the retirement fund.

### **2.E.4 Changes to Teachers' Retirement System**

GSBA opposes legislation that establishes an optional defined contribution retirement plan as an alternative to TRS.



### ***III. IMPROVING STUDENT ACHIEVEMENT***

#### **A. Attendance**

##### **3.A.1 Compulsory Attendance**

GSBA supports compulsory enrollment in educational programs for persons ages six years to 18 years who have not graduated from high school.

#### **B. Curriculum/Achievement**

##### **3.B.1 Academic Achievement**

GSBA supports legislative initiatives to make improving student academic achievement the top priority of state education policy.

##### **3.B.2. State-Local Collaboration**

GSBA supports efforts to improve student achievement through a collaborative effort between the Department of Education and local school districts in the development of a challenging and dynamic curriculum that allows for flexible instructional models to meet the needs of all students.

##### **3.B.3 Authority Over Curriculum**

GSBA supports the concept that curriculum determination is the domain of state and local boards of education. GSBA thus encourages the General Assembly to resist legislative attempts to mandate curriculum.

##### **3.B.4. Early Learning Initiative**

GSBA supports the creation of a statewide initiative to formalize an early learning collaborative in each county of the state.

##### **3.B.5 PreK through Grade 3 Initiative**

GSBA supports the adoption of a prekindergarten through grade 3 integrated educational model for all children ages four through eight.

##### **3.B.6 Dropout Prevention**

GSBA supports the development of local dropout prevention programs with state and federal assistance based on a uniform definition of dropout. GSBA further supports providing a mechanism for students to be considered graduates who earn both a GED and a workforce development skills certificate (such students are currently considered dropouts.)

### **3.B.7 Special Education Students and Graduation Rate**

GSBA encourages the Governor, Legislature and State Department of Education to adjust graduation criteria so that special education students who receive a certificate of completion will not count against Georgia's graduation rate.

### **3.B.8 High School Diplomas**

GSBA encourages the Georgia Department of Education to consider offering three high school diploma options: college prep, CTAE and special education.

### **3.B.9 Assessments Aligned to Standards**

GSBA encourages the Georgia Department of Education (GaDOE) to develop assessments aligned to standards, as opposed to a grade-level or state defined course and provide systems the flexibility to administer those assessments if students are ready prior to the spring of each school year.

### **3.B.10 Limit Number of Assessments**

GSBA urges the state to review current student assessment requirements and to limit the number of assessments to those that are essential to monitor student learning and inform instruction.

### **3.B.11 Align Assessments with Move On When Ready**

GSBA supports the concept of giving school districts the choice of assessing students at the grade level, content area, or course for which they are taught. Middle school students taking high school courses could be assessed solely on the high school courses to eliminate double testing. Elementary and middle school students working above grade level in a content area could take the content test for the grade level they are taught to eliminate double testing.

### **3.B.12 Multiple Administrations of Assessments**

GSBA encourages the Georgia Department of Education (GaDOE) to allow school systems the flexibility to administer the Georgia Milestones End of Grade tests multiple times during the school year in addition to the traditional spring and retest opportunities. The practice currently exists with Georgia Milestones End of Course tests. This flexibility allows students to take the tests as they complete the course content.

### **3.B.13 Career, Technical and Agricultural Education**

GSBA opposes programmatic transfer of the Career, Technical and Agricultural Education programs from the State Board of Education to the State Board of the Technical College System of Georgia.

### **3.B.14 Need Based Financial Aid**

GSBA urges the state legislature to make significant contributions to the need-based financial aid program created in 2018 by the General Assembly through House Bill 787. GSBA urges the state legislature to increase funding for the HOPE Grant Program to cover full tuition for students in the Technical College System of Georgia.

### **3.B.15 In-state Tuition**

GSBA urges the state to allow undocumented immigrant children who successfully complete K-12 education in the State of Georgia to pay in-state tuition to any public university, college or technical school.

## **C. Non-traditional Schools**

### **3.C.1 Charter Schools**

The Georgia School Boards Association supports the concept of publicly funded charter schools that provide innovative, quality programming provided they are formed with the approval of local boards of education and are under the governance of those local school boards.

### **3.C.2 Non Public School Students - Access to Activities**

GSBA opposes legislation or any State Board of Education rule which mandates access to a public school program, activity, facility, or funding by students not enrolled in that school.

### **3.C.3 Alternative School Programs**

GSBA supports the continuing emphasis on and support for program improvement for students needing alternative schools, including expanding the programs to provide behavioral modification for elementary school students exhibiting disruptive behavior tendencies.

## ***IV. FEDERAL ISSUES***

### **4.1 Educational Program Funding**

GSBA supports efforts of the Georgia Board of Education and the State Department of Education in maintaining a strong working relationship with the U.S. Department of Education

### **4.2 Flexibility in the Use of Federal Funds**

GSBA recommends that state statutes and the Georgia Department of Education's rules and regulations governing the use of federal funds, not be stricter than federal guidelines.

### **4.3 Special Education Funding**

Fully fund Special Education at the 40% level as mandated by federal law, the Individuals with Disabilities Education Act.

### **4.4 Eliminate Unnecessary Mandates and Regulations**

GSBA urges Congress to reduce unnecessary mandates and regulations on schools.

### **4.5 Support Public Education, Not Tax-Funded Vouchers**

GSBA urges Congress to reject vouchers and support legislation that improves public schools.

### **4.6 Fair Share from Federal Government in Place of Ad Valorem Taxes**

GSBA supports legislation that will require the federal government to pay its fair share in the place of ad valorem taxes for land owned by the government.