



# Florida School Boards Association

*The voice of education in Florida.*

## **Proposal 71 – Operation, Control, and Supervision of Public Schools**

**Proposal 71** – Operation, Control, and Supervision of Public Schools by [Erika Donalds](#)

*This proposal would amend Article IX, Section 4 of the Florida Constitution. The proposal specifies that the school board shall operate, control, and supervise all free public schools “established by” (rather than “within”) the school district.*

### Key Points

- The proposal appears to be an effort to authorize an entity other than the elected school board to establish a public school. It is unclear whether, once established, such a school would be subject to any school board authority or control or how such a school would be funded.
- This proposal would permit and encourage the creation of a parallel system of free public schools by essentially creating two systems: While one system under the operation and control of local elected school board and another system under the operation and control of some other entity. This threatens the state’s ability to comply with the constitutional mandates for a uniform and efficient system of free public schools.
- The proposal would permit and encourage a process to establish a public school without regard to the need for, or appropriateness of, the new school.
- The proposal appears to be an effort to expand on public and private school choice options that may include charter schools, schools of hope, voucher programs, and/or other choice options that lack public accountability and quality assurance measures. This conflicts with the constitutional mandates for a high quality system of free public schools that allow a student to obtain a high quality education.
- The proposal creates an untenable conflict between the constitutional authority of the elected school board and the authority of some other unnamed individual or entity that may or may not be a publicly elected or otherwise held publicly accountable.
- It is difficult to decipher the intent of this proposal or to anticipate its potential ramifications. As such, the CRC should exercise great care to determine the educational impact before placing this item before voters.

### Additional Information

Florida law specifies that all charter schools in Florida are public schools which places them under the purview of the elected school board. As a result, the vast majority of charter schools must apply to, and be approved by, local school boards.

It is evident that charter schools have thrived in Florida, rapidly increasing from 5 charter schools in 1996-1997 to 654 charter schools in 2016-17. Currently, more than 283,000 students are enrolled in charter schools in 46 Florida districts. Florida ranks third, behind California and Texas, in both the number of charter schools and in the number of students served in charter schools.

Recent legislation provides for the establishment of “schools of hope” that may be established and operated by charter schools or similar entities without the approval of the school board. This legislation is the subject of multiple legal challenges relating to the constitutional authority of school boards.