


THE COMMONWEALTH EDUCATIONAL POLICY INSTITUTE
AN INSTITUTE IN THE CENTER FOR PUBLIC POLICY

CEPI Education Law Newsletter

Dr. Richard S. Vacca, Editor; Senior Fellow, CEPI

MAY 2015: Vol. 13-9

POTENTIAL ISSUES TO WATCH IN THE 2015-2016 SCHOOL YEAR
Overview

In keeping with past practice this final commentary for the current school year is devoted to predicting “potential legal and policy issues” to watch in the next school year. What follow in the paragraphs below are my predictions of issues to be aware of as school officials and administrators plan for next year. It will be obvious to the reader that several of the issues discussed are not new and already have been the subject of considerable time and effort over the past several years.

Issues to Watch

School System Budgets. This past year stories both in professional literature and popular media have highlighted growing problems associated with a lack of tax dollars available to adequately maintain and operate local public school systems. Across the nation some local school boards have publicly announced that major cuts in academic program offerings as well as cuts in extra-curricular activities (including interscholastic athletic programs) now available to students must be made just to “keep the schools open next year.”

With growing populations of at-risk children, parents and students from non-English speaking families, and children in need of special education services, a continuing strain will be placed on fiscal resources. Where will local communities find adequate resources necessary to provide quality educational opportunities for all children entering school and to implement parent engagement efforts? At the same time where will many local school systems find the funds necessary to replace aging buildings, failing heating and cooling systems, unsafe school buses, and out dated instructional equipment.

Next school year the pressure of parent advocate groups and local tax payer coalitions on local school boards and school officials will accelerate to show positive results in: (1) raising student academic achievement, (2) reducing student drop-out rates, and (3) increasing the number of schools receiving full state accreditation. At the same time a growing number of parent and

community groups will continue to insist on seeing a reduction in the disparity, where it exists, between schools in the same school system.

Next school year, as in past years, the following questions will once again be asked: (1) Are children destined to a level of educational opportunity by accident of their birth? (2) Is there a disparity in educational offerings and in student academic results between schools located in the same local school system? (3) Is there a link between socio-economic factors, school system funding, school system personnel assignments and quality education? How do local school systems effectively engage a growing number parents, many of whom do not speak English and/or who may be illiterate in their own native language? Suffice it to say, while in the 2015-2016 school year heated discussions regarding fiscal priorities will dominate many local school board meetings one thing is certain - business as usual will not be acceptable.

Special Education. This past year, while the population of children identified as in need of special education services continued to grow, neither the United States Congress nor the United States Department of Education has given state and local school systems anything new regarding the status of the *Individuals with Disabilities Education Act* (IDEA 2004). At the same time no clear links have been established between IDEA and such other national efforts as No Child Left Behind and the Common Core State Standards Initiative. In other words, as local public school officials plan for next year they must do so while often resorting to past policies, rules, procedures, and practices—a risky business to say the least. The challenges presented by and the impact and strain of unanswered questions on accurately funding state and local school system budgets (especially those related to procedural requirements, staffing needs, and providing necessary related services) will be profound.

Student Discipline. In 2015-2016, local school boards also will continue efforts to deal with the impact and relationship between current disciplinary policies and procedures covering the general population of students and (1) students with disabilities; (2) students from different racial and ethnic groups; and (3) male and female students. As of this writing several of the local school systems in the area where I live have been studying the possibility of disparities and the need for revising the school system's *Student Code of Conduct*.

Four other discipline related topics likely will continue to dominate board and administrator planning time next school year. Briefly stated these are: (1) school building security and student safety; (2) student use of various forms of electronic/social media on school grounds during the school day, in classrooms, and at school sponsored and/or sanctioned events; (3) student-on-student peer harassment and bullying; and (4) student violence at athletic events and other activities—especially those that occur after school hours. The roles played by social media and outside school system gang-related involvement in fueling such violence makes this a daunting task.

Finally, local school systems will continue to examine the relationship that exists between school system administration and local police officers assigned as School Resource Officers (SRO) in school buildings.

Administrator and Teacher Contracts. As I have reported in past commentaries, the debate over administrator and teacher contracts, and the future of tenure based contracts, will continue in the 2015-2016 school year. The establishment of accountability driven, performance (i.e., merit pay) based term contracts will occupy the center of discussion as a viable alternative to the current

continuing contract focused status quo. Advocates for change will insist that school superintendents, supervisors, principals, and classroom teachers be measured, over a three to five year contract duration, by such criteria as student academic progress and achievement, student graduation rates, the number of student suspensions and expulsions, and school accreditation status—and not by traditional evaluation criteria. Advocates for change will insist that all personnel contracts contain specific goals and objectives, with the failure to meet articulated bench marks resulting in contract non-renewal.

In 2015-2016 the recruitment and hiring of new classroom teachers certified in mathematics, technology, science, and special education will remain a challenge.

Curriculum. In 2015-2016 issues will once again spring up involving the school curriculum. Parent groups and teacher organizations will continue to insist that statewide student testing limits what is taught and narrows the academic exploration of students. What is more, is too much “good teaching” time taken away from the school year by rote preparation for state testing? Are teachers “teaching to the test?” Add to this the growing tension between federal, state, and local school officials involving curriculum content and sequence as evidenced by the debate surrounding the Common Core State Standards Initiative.

Finally, as the campaign to elect a new President of the United States heats up and moves forward, public education will once again serve as a major item on the political agenda. In my view state and local school officials will once again find themselves in the forefront of political debate.

Final Comment

As stated at the outset, my purpose in writing this final edition of the commentary series is to identify and briefly discuss selected issues likely to have an impact on the implementation of local school system policy and administrative planning time. For a more detailed look at the issues discussed in this commentary the reader is encouraged to consult the [Index to Prior Issues](#).

Richard S. Vacca

Senior Fellow CEPI

Note: The views expressed in this commentary are those of the author.