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POTENTIAL ISSUES TO WATCH IN THE 2012-2013 SCHOOL YEAR**Overview**

This past year each commentary was devoted to discussing a topic having an impact on local public school board policy makers, school administrators, and classroom teachers. I encourage the reader to consult the *Index of Prior Issues* for a listing. In keeping with past practice the final (June) commentary is devoted to predicting “hot legal and policy issues” to watch next school year—a risky endeavor to say the least.

Potential Issues: 2012-2013

Recognizing that no two school years are exactly alike and knowing that new and unexpected issues are likely to spring up, past experience nevertheless teaches us that several issues from the last school year likely will carry over into the next school year and continue to consume the valuable time and efforts of local school boards, administrators, and staff. The topics discussed in the paragraphs below form this year’s issues to watch commentary.

School System Budgets: In 2012-2013, local school boards will continue to deal with shrinking maintenance and operation budgets forcing difficult decisions, especially decisions involving the largest item in the budget—personnel (salaries and benefits). Instead of finding new and creative ways to keep the work force in tact while adjusting to smaller allocations of money to conduct business, school officials will resort to age worn “red pen” cost cutting tactics. Such strategies as not filling vacant positions (especially those involving retirees), salary adjustments, lay-offs, and furloughs of current staff will be executed in an effort to simply remain fiscally “in the black.” While initial cost-cutting efforts will involve support personnel (especially clerical workers, bus drivers, coaches, and building and maintenance staff) it is inevitable that in many communities administrators (especially central office staff, assistant principals, and administrative aides) and classroom teachers will be included in the plans. Legal and policy issues will abound when cost-cutting decisions involving classroom teachers have a negative impact on the school curriculum and require course eliminations (advanced languages, sciences, and mathematics) and the elimination of whole programs of study (especially in non-academic areas of the curriculum such as art, drama, and music).

In some areas of the country a reduction in the price per gallon of gasoline has taken place. However, the high costs associated with gasoline, motor oil, and diesel fuel, coupled with the rising costs of utilities (especially electricity), have continued. As a result, this coming year school extra-curricular activities will be curtailed. To stay within budgetary boundaries additional cuts are likely in athletic events and team travel, after school intramural activities, class field trips, and after school student club activities. While necessary budgetary steps to take, such actions will raise policy issues for local school boards especially as students, parents, and school athletic boosters protest cuts in student sports, clubs, and other extra-curricular activities.

Tenure and Continuing Contracts. In 2012-2013 the debate will continue to either radically change or totally eliminate tenure and continuing contract status for professional personnel. Advocates for school reform and strict accountability for student academic achievement will continue to lobby state legislatures and governors for the implementation of term contracts (e.g., three and/or five year performance, merit-based contracts) for school principals and classroom teachers. Legal and policy issues are inevitable—especially in states where collective bargaining and union contracts exist.

Another tenure-related issue producer involves a growing emphasis on achieving educational equity in local public school districts. Advocates will continue to demand that all students, whatever their socio-economic status, receive equal access to quality educational opportunities. Comparisons will be made between student access to (1) academic offerings, (2) high performing, competent principals and classroom teachers, (3) counseling services (academic, employment, and social), (4) state-of-the art technology, and (5) well maintained school buildings and grounds in affluent sections of the school district with those in less affluent sections of the same school district. One strategy currently underway to meet the demands of equity advocates involves local school boards formally transferring and reassigning senior staff—especially administrators, teachers, and counselors with records of sustained excellence—from high performing schools to a low performing schools in the same school district. Legal and policy issues are inevitable as seasoned principals and teachers are “moved around.”

Diversity of Students. Throughout this country, from big cities to small rural hamlets, the diversity of students in public schools is rapidly increasing—especially students coming into the schools from households where adults and children communicate in a language other than English. Differences in language and culture are changing the educational landscape. Often coupled with low family income and an absence of books and computers in the household, the needs of non-English speaking students and parents will require school officials and school system personnel to develop skills necessary to effectively communicate and work with a growing population of individuals who (1) do not respond to traditional educational policies, methods, and procedures, and (2) need related academic and social services many of which are not available. Legal and policy issues will abound as budgetary limitations are stretched and priorities are reordered.

Federal Influence. As of this writing neither the *No Child Left Behind Act* (NCLB) nor the *Individuals with Disabilities Education Act* (IDEA) has been reauthorized by Congress. As the 2012-2013 school year begins school systems must operate under the same mandates (federal and state) as were in effect last year. At the same time, the Obama Administration’s *Race to the Top Initiative* (RTTI) has yet to reach a point where USDOE has clearly articulated what will happen next to implement this initiative. While school officials have been placed in a “wait and see” mode, one thing is clear. Coupled with a federal-level movement to establish a national curriculum and national accreditation of teachers, the policy issues dealt with at the federal, state, and local levels in 2011-2012 will intensify in 2012-2013.

Special Education. In 2012-2013 costs will continue to rise as the population of students who need special education and necessary related services will continue to grow—especially students whose classification places them on the autism disabilities spectrum. The ongoing debate over which methodological approach is most effective in working with students with autism and the need to hire and train (and retrain) personnel to effectively work with students with autism will continue to produce IEP-based conflicts between parents and school special education personnel. Other issues are likely to spring up in the continued debate over the possibility of establishing and funding special schools (in some states charter schools) for students with autism disabilities—with the lion’s share of financial support coming from local funds.

Student Discipline. As stated in last year’s June commentary, legal and policy issues involving electronic communication (Facebook, texting, e-mailing, tweeting, blogging) spring up so quickly that one can’t possibly keep up with them—especially issues involving student privacy, student-on-student harassment, and bullying. In my view this area of student discipline and control will necessitate (1) a continued review of school system policies and procedures, (2) up-to-dated in-service training of administrators and school staff, and (3) involvement, responsibility, and cooperation of parents to effectively deal with what some have called the biggest challenge facing public school systems—especially student discipline.

In 2012-2013, other privacy-related issues are likely as local school systems increase the use of surveillance equipment on school buses, on school parking lots, and in school buildings (entrance ways, hallways, locker rooms, and other strategic locations). Intended to provide increased safety and security, the strict enforcement of security methods and procedures (*e.g.*, computerized visitor registration, searches of persons wishing to gain entrance to athletic events, checking student and staff identification cards, increased involvement of school security officers) will continue to produce legal and policy issues next school year.

Final Comment.

As in past years my purpose in writing the final issue in the commentary series is to identify and briefly discuss examples of potential issue producers to watch next school year. I hope that the information contained in the paragraphs above will prove helpful to local school boards and administrators as plans are made for next year.

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