

H-1 Authorization to Add the Issue of
Title I to the Constitutional Challenge to
HB 7069 and Provide Update on
Litigation Process
08/22/17 RSBM

Executive Summary

The section of HB 7069 that addresses Title I is now codified at s. 1011.69, F.S., titled Equity in School-Level Funding Act. The impacts can best be summarized as a loss of the School Board's ability to use Title I funds strategically, based on the District's best educational judgement about student needs. The change to s. 1011.69, F.S. is more restrictive than the Every Student Succeeds Act (ESSA) and takes away the ability of the School Board and Superintendent to make decisions at the local district level. The legislation is clearly an obstructive pre-emption to the flexibility provided in ESSA to local districts on the use of Title I funds in two areas: Ranking and Service Schools and the Reservation of Funds. Once again, the legislature has taken local control and decision making away from the School Board and given the authority to FDOE regarding the selection of schools to be designated as Title I schools. These issues are both constitutional as well as a possible violation of the Federal regulations.