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14TH DISTRICT, FLORIDA

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August 22, 2017

Cindy Stuart  
Chair  
School Board of Hillsborough County  
901 East Kennedy Boulevard  
Tampa, Florida 3362

Dear School Board Chair Stuart:

I share the concern of Hillsborough County Public Schools and many others over troubling provisions in the new Florida law known as House Bill (HB) 7069. The new law will have serious consequences for Florida's public school students, our schools and all Floridians. The new law appears to run afoul of *federal* law. Specifically, the new law appears to violate federal education and civil rights provisions of Title I of the Elementary and Secondary Education Act (ESEA).

The intent of Title I of the ESEA is to ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education, and reach state standards. Significant Title I federal funds flow through specifically-proscribed formulas to local school districts to tackle areas of concentrated poverty to help lift up the greatest number of students in need. Under ESEA, Congress established its clear intent that local school districts have the legal responsibility and are most knowledgeable in targeting Title I funds to develop and implement high quality, effective initiatives (without spreading the dollars too thin – hence lessening their impact). The new Florida law unlawfully allows the state of Florida to change the way Title I funds are allocated thereby diluting the ability of school districts to educate children in Title I schools in the most effective ways.

During the recent reauthorization of the ESEA, Congress debated and rejected so called “portability” proposals that would have allowed states greater control over the use of Title I funds. The State of Florida does not have the authority to act in contravention of the ESEA Title I provisions especially when the congressional intent is so clear. HB 7069 also appears to allow the Governor and the state to impermissibly ignore ESEA legal parameters that vest significant authorities in “local education agencies”. Therefore, it appears that the provisions contained in HB 7069 relating to Title I are unlawful and ripe for legal challenge.

I also have serious concerns about the Legislature's and Governor's significant shift of public education capital funds to private, for-profit charter corporations. To be

successful, our children need safe and modern classrooms, schools where the air conditioning works, and the tools to meet their full potential. I understand that other school districts and educators are considering legal challenges to the troubling provisions of HB 7069 and I hope my insight on certain federal Title I provisions is helpful as you consider the same. Florida's future and the economic success of our great state depends on strong public schools and high quality education in all neighborhoods no matter the zip code. I appreciate your consideration. Thank you.

If you have any questions or comments, please do not hesitate to contact me or my Education Legislative Assistant, Calli Shapiro, at 813-871-2817 or 202-225-3376.

Sincerely,



Kathy Castor  
United States Representative  
Florida - District 14

cc: Hillsborough County School Board Members  
Jeff Eakins, Superintendent  
Jim Porter, Hillsborough County School Board Attorney