

# Florida Amendment 8, School Board Term Limits, Allow State to Operate Non-Board Established Schools, and Civic Literacy Amendment (2018)

## Florida Amendment 8, School Board Term Limits, Allow State to Operate Non-Board Established Schools, and Civic Literacy Amendment



### Election date

November 6, 2018

### Topic

Education and Charter schools and vouchers

### Status

On the ballot

### Type

Commission-referral

### Origin

Legislative commission

Florida Amendment 8, the **School Board Term Limits, Allow State to Operate Non-Board Established Schools, and Civic Literacy Amendment**, is on the [ballot](#) in [Florida](#) as a [commission referral](#) on [November 6, 2018](#).<sup>[1]</sup>

A **"yes"** vote supports this amendment to:

- establish a term limit of eight consecutive years for school board members;
- allow the state government to operate, supervise, and control public schools not established by the school board; and
- require the [legislature](#) to promote civic literacy in public education.

A **"no"** vote opposes this amendment to:

- establish a term limit of eight consecutive years for school board members;
- allow the state government to operate, supervise, and control public schools not established by the

- school board; and
- require the [legislature](#) to promote civic literacy in public education.

**In Florida, a constitutional amendment requires a 60 percent supermajority vote at the ballot for approval.**

## Overview

### How did this measure get on the ballot?

The [Florida Constitution Revision Commission \(CRC\)](#) voted 27-10 to place Amendment 8, which is composed of three constitutional amendments, on the ballot for the election. The 37-member commission, which meets every 20 years to propose changes to the [Florida Constitution](#), is unique amongst the states. Florida is the only state with a commission empowered to refer constitutional amendments to the ballot. Republicans, including legislative leaders and [Gov. Rick Scott](#), appointed 33 of the commissioners. [Attorney General Pam Bondi](#) (R) also served on the commission. [Jorge Labarga](#), chief justice of the [Florida Supreme Court](#), appointed the three remaining members.

As Amendment 8 is a package of three constitutional amendments, voters cannot approve or reject some, but not all, of the amendments. Voting “yes” on the ballot measure is a vote to pass the three constitutional amendments. Voting “no” on the ballot measure is a vote to reject the three constitutional amendments.

## Measure design

The [Florida Constitution Revision Commission \(CRC\)](#) bundled three proposed constitutional amendments as one ballot measure: Amendment 8. The proposed constitutional amendments are related to K-12 education.

### School Board Term Limits Amendment

Amendment 8 would establish term limits of two consecutive four-year terms for school board members. The measure would prohibit an individual's name from appearing on the ballot if the person had already served on the school board for eight years.<sup>[1]</sup>

As of 2018, there is no state law limiting how long a person could serve on a school board.<sup>[2]</sup>

### State-Supervised Schools Amendment

As of 2018, the state constitution authorizes school boards to operate, control, and supervise all free public schools within their jurisdictions. The measure would change the constitution to limit school boards' authority to operate, control, and supervise public schools to

those **established by the district school board**. In other words, the measure would allow a different state institution to have oversight of public schools not established by school boards. [1] These non-board established school could include privately-organized charter schools, lab schools, collegiate high schools, and other types of schools.

## Civic Literacy Amendment

The measure would add language to the [Florida Constitution](#) stating that "education is essential to the preservation of the rights and liberties of the people." The measure would require the [Florida State Legislature](#) to pass laws to, according to the text, "ensure that students enrolled in public education understand and are prepared to exercise their rights and responsibilities as citizens of a constitutional republic." [1] The subject of civil literacy would be the only K-12 education subject specified in the state constitution. [3]

## Text of the measure

### Ballot title

The ballot title is as follows: [1]

“ SCHOOL BOARD TERM LIMITS AND DUTIES; PUBLIC SCHOOLS. [4] ”

### Ballot summary

The ballot summary is as follows: [1]

“ Creates a term limit of eight consecutive years for school board members and requires the legislature to provide for the promotion of civic literacy in public schools. Currently, district school boards have a constitutional duty to operate, control, and supervise all public schools. The amendment maintains a school board’s duties to public schools it establishes, but permits the state to operate, control, and supervise public schools not established by the school board. [4] ”

## Constitutional changes

*See also: [Florida Constitution](#)*

The measure would amend [Section 4 of Article IX](#) of the [Florida Constitution](#) and add a new section to [Article XII](#) of the state constitution.

## Support

**8isGreat** is leading the campaign in support of the amendment.

## Supporters

- Collier County School Board member and constitution revision commissioner, Erika Donalds, proposed the amendment in the Florida Constitution Revision Commission.
- The civics education part of the amendment was sponsored by former state Senate president [Don Gaetz \(R-1\)](#).<sup>[5]</sup>
- The [Republican Party of Florida](#) gave \$100,000 to the support committee, 8isGreat.

## Arguments

- **Erika Donalds** wrote in a statement, "Amendment 8 is Great for Florida's future, and we are committed to communicating that message to all Floridians. As school board members, we are convinced that fresh ideas and diverse opportunities for innovation are essential to creating a system of public education that works for every student. When it comes to the policy necessary to deliver that change, Amendment 8 is Great!"<sup>[6]</sup>
- **Former state Senator Don Gaetz (R-1)** said, "The intent and substance was not charter schools; it was much broader than that. Ten years ago virtual education was considered edgy, strange and suspicious, and we don't know what form education will take 10 years from now. This envisions the need for education methods, facilities or organizations that in the future might be different from traditional schools."<sup>[5]</sup>

## Opposition

### Opponents

- Southern Poverty Law Center
- Florida League of Women Voters
- Sarasota County School Board<sup>[7]</sup>

### Arguments

- **Patricia Brigham, League of Women Voters Florida President**, said the following regarding a [lawsuit](#) filed by the Southern Poverty Law Center on behalf of the Florida League of Women Voters:<sup>[8]</sup>

“ If Amendment 8 remains on the ballot, there is no way that voters will realize that a yes vote could allow unaccountable political appointees or even private organizations to control where and when charter schools can be established in their county. We know that Floridians overwhelmingly support the constitutional requirement to make adequate provision for the education of all children that is ‘uniform, efficient, safe, secure and high quality.’ We are asking the court to ensure that voters aren’t tricked into eliminating those protections.<sup>[4]</sup> ”

## Media editorials

See also: [2018 ballot measure media endorsements](#)

## Support

Ballotpedia did not identify any media editorials in support of the amendment. If you are aware of one, please send an e-mail to [editor@ballotpedia.org](mailto:editor@ballotpedia.org).

## Opposition

•*The Palm Beach Post* said: "This amendment, one of several advanced by the CRC, is a mash-up of three proposals with little in common except having something or other to do with education. You have to vote for all three or none at all. Voters are apt to like two of the elements: a requirement that "civic literacy" be promoted in public schools, and an eight-year limit for service on a school board. It's the third piece that's the problem: It would allow charter schools to be authorized by entities other than local school boards, which now make those decisions. Suddenly, the Legislature could allow any person or group or corporation, public or private, to set up charter schools or the like. And those schools would be free of oversight by the school board. This is so misleading you have to wonder if the deception was deliberate. The Leon County Circuit Court should quickly rule to strike this insult to voters from the November ballot."<sup>[9]</sup>

## Campaign finance

See also: [Campaign finance requirements for Florida ballot measures](#)

The campaign finance information on this page is according to the **most recent scheduled reports**, which covered through July 13, 2018. The **deadline** for the next scheduled reports is July 27, 2018.

### Total campaign contributions:

<b>Support:</b>	<b>\$167,032.00</b>
<b>Opposition:</b>	<b>\$0.00</b>

One ballot measure committee is registered in support of Amendment 8—8isGreat.org. The 8isGreat.org committee had reported \$167,032.00 in contributions and \$35,925.17 in expenditures. Ballotpedia had found no committees registered in opposition to Amendment 8.<sup>[10]</sup>

The top five donors in support of Amendment 8 had provided 90 percent of the contributions. The largest donor to the support committee was the [Republican Party of Florida](#), which gave \$100,000.<sup>[11]</sup>

## Support

### Committees in support of Florida Amendment 8

**Supporting committees** **Cash contributions** **In-kind services** **Cash expenditures**

BisGreat.org	\$167,032.00	0.00	\$35,925.17
<b>Total</b>	<b>\$167,032.00</b>	<b>\$0.00</b>	<b>\$35,925.17</b>
<b>Totals in support</b>			
<b>Total raised: \$167,032.00</b>			
<b>Total spent: \$35,925.17</b>			

## Top donors

Donor	Cash	In-kind	Total
<a href="#">Republican Party of Florida</a>	\$100,000.00	\$0.00	\$100,000.00
Florida Overseas Investment Center	\$15,000.00	\$0.00	\$15,000.00
GreenAccess, LLC	\$15,000.00	\$0.00	\$15,000.00
Naegele Ellis F.	\$10,000.00	\$0.00	\$10,000.00
Red Apple Development, LLC	\$10,000.00	\$0.00	\$10,000.00
Education Priority Fund	\$2,500.00	\$0.00	\$2,500.00

## Opposition

If you know of a committee registered to oppose Amendment 8, please email the information to [editor@ballotpedia.org](mailto:editor@ballotpedia.org).

## Methodology

Ballotpedia calculates campaign finance based on the political committees registered to support or oppose a measure and independent expenditures, when relevant and available. When a committee is registered to support or oppose multiple measures it is impossible to distinguish between funds used for one measure and funds used for the other.

In calculating campaign finance for supporting and opposing committees, Ballotpedia does not count donations or expenditures from one [ballot measure committee](#) to another since that would amount to counting the same money twice. This method is used to give the most accurate information concerning how much funding was actually provided to and spent by the opposing and supporting campaigns.

Ballotpedia subtracts out committee-to-committee contributions—both cash donations and in-kind contributions. Because of this, it is possible for certain committees to have negative contributions. Negative contributions mean that a committee has provided more contributions to other committees than it has received. If expenditures exceed contributions, it means the committee has accrued unpaid bills, has unpaid or unforgiven loans, or has contributed a certain amount of in-kind services to another committee.

Ballotpedia provides information about all reported in-kind donations. In-kind contributions are also counted toward total expenditures since, with in-kind gifts, the contribution and services or goods are provided simultaneously. Ballotpedia does this to provide the most accurate information about the cash-on-hand of supporting and opposing campaigns.

## Polls

The following poll was conducted by Cherry Communications and commissioned by the Florida Chamber of Commerce to gauge voter support and opposition toward the

amendments on [Florida's 2018 ballot](#). A total of 605 likely voters were polled, including 237 Republicans, 249 Democrats, and 119 others.<sup>[12]</sup>

[hide]Support and Opposition for Amendment 8						
Poll	Support	Oppose	Undecided	Margin of error	Sample size	
Florida Chamber of Commerce Poll 5/25/18 - 6/2/18	75%	11%	15%	+/-4.0	605	
<p><i>Note: A "0%" finding means the candidate was not a part of the poll. The polls above may not reflect all polls that have been conducted in this race. Those displayed are a random sampling chosen by Ballotpedia staff. If you would like to nominate another poll for inclusion in the table, send an email to <a href="mailto:editor@ballotpedia.org">editor@ballotpedia.org</a>.</i></p>						