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Patty Hightower

Funding Education
September 19, 2015

**Speaker: Patty Hightower, Chairwoman
Escambia County School Board**

Tryon Library, 1200 Langley Ave.
Coffee 10:15 am - Program 10:30 am

Patty Hightower, District 4 representative and chairwoman for the Escambia County School Board, will speak on "Funding Education" at the League of Women Voters monthly meeting September 19th at the Tryon Branch Library, 1200 Langley Ave.

Hightower will discuss how funding is determined for the schools and how district allocations are decided. She has been a School Board member since 2004 and also has served as president for the Florida Association of School Boards and for the Florida PTA. She is one of 100 board-certified members through specialized training from the School Boards Association. Mrs. Hightower has been a member of the current school board since 2004. She served as President for the Florida Association of School Boards twice, completing her second term this past June. She has also held the title of president for the Florida PTA, as well as serving at the national level.

Education Funding Position in brief:

Support a free public school system for Florida with high standards for student achievement and with equality of educational opportunity for all that is financed adequately by the state through an equitable funding formula.

The League's first action on behalf of public education in Florida was support of the Minimum Foundation Program, which called for abolishing small school districts and establishing countywide school districts.

Each county was required to provide tax support based on its ability to pay. In turn, the state would augment this with funds to build a sound minimum school program for all Florida children. This was clearly the beginning of the League's concern for equal funding as well as the state's role in the process.

In 1971, following the completion of a complex study which concentrated on financing issues and the organization and structure of education at the state level, the League expanded its position on the equalization formula and concluded that all state required programs should be fully funded by the state. It also required uniform assessment of property throughout the state.

With additional studies on education financing, more specific positions were added. For example: increased appropriations for teachers' salaries, weighted pupil concept as the unit for the distribution of funds and agreement that ad valorem taxes should be the primary local revenue source for education. ◇

Why are Citizens NOT Voting?

by Ray Hudkins, 346-5199

The Florida State LWV approved an Open Primary study at the May 2015 Annual Convention. The purpose of the study is to evaluate the current primary system in Florida to determine whether it is a hindrance to voter turnout.

We need your help to complete the study.

Did you know that 13 counties had over 40% average turnout from 2000 to 2014 in primary elections? Twenty-five counties averaged less than 25% turnout from 2000 to 2014. Eleven of the 25 counties averaged over 300,000 registered voters. We will investigate why turnout is low in Florida and possible actions to increase turnout in future elections

Did you know that the State League endorsed Instant Runoff Voting in the 2007 Program? Learn about the myriad primary election systems and evaluate selected systems for potential application to Florida.

You can help update our League position given that a lot has changed since 2000. You can choose to participate in one or more of the study topics: Interviews of Supervisor of Elections, Out of State LWV organizations, political parties, or millennial voters.

Contact Pensacola Bay Area LWV Study Chair:
Ray Hudkins 346-5199 rhud66 at gmail.com. ◇

League Supports Solar Energy Ballot Initiative

by Mary Gutierrez, 549-7472

The solar ballot initiative was initiated by Floridians for Solar Choice. Several organizations from around the state, including the League of Women Voters, Southern Alliance for Clean Energy, Earth Ethics and others, have signed on to help to get a constitutional amendment placed on the 2016 ballot. At the present time, the Florida Supreme Court is considering whether the proposed ballot language is acceptable.

Florida is one of four states that does not allow its citizens and businesses to choose to purchase electricity from sources other than a utility. This initiative will allow us to choose the source of the energy we want.

The League's Natural Resources and Growth Management Committee will host a kickoff meeting to educate attendees about the initiative, what some of the challenges are, and how individuals can become actively involved. Details of the meeting are still being finalized. For more information, please contact Mary Gutierrez, Co-Chair of the Natural Resources Committee, at mary.earthethics at cox.net. ◇

Discussion of School-to-Prison Pipeline Packs Restaurant

Thom Botsford, 384-3282

What to do about the thousands of children incarcerated in Escambia County was just one of the local concerns expressed during a discussion Aug. 31 sponsored by the League and the American Civil Liberties Union.

About 108 citizens packed Franco's Italian Restaurant to hear a panel of experts discuss the school-to-prison "pipeline" that affects communities nationwide, especially places with sizeable minority populations and limited job opportunities for undereducated young people.

A representative from the ACLU, Keyontay Humphries, said Escambia County incarcerates more children per capita than any other place in the world.



Panelist (L-R) Police Chief David Alexander III, Attorney Mary McDaniel, Circuit Judge E.P. Nickinson, and Okaloosa County School Superintendent Mary Beth Jackson.

No one on the panel disputed that the county has too many young people in jail or in trouble with the law, sometimes for offenses that would never have merited criminal arrests or charges in the past.

Out-of-school suspensions received much attention. The Escambia County school district suspended about 4,000 students last year, said Amir Whitaker, an attorney with the Southern Poverty Law Center. Moreover, 60 students were arrested on charges of disorderly conduct. Unlike some districts, which handle such matters outside of the criminal justice system, Escambia put these students in the "pipeline."

The SPLC filed a civil complaint in 2012 against Escambia and four other Florida counties, alleging that too many students are being suspended and arrested for relatively minor offenses.

The best thing society can do is to keep these young people out of the pipeline and in school-even after misbehavior-several panelists agreed. After citing figures showing how income and employment levels rise with educational achievement, economist Rick Harper reminded the audience of the cost to society of incarceration, including the cost to families who lose breadwinners and caregivers.

Okaloosa County School Superintendent Mary Beth Jackson had some good news to report: suspensions in her county are down dramatically, falling from about 3,000 to



Paula Montgomery & Amir Whiakier



Executive Editor Lisa Nellesen-Lara



Economist Rick Harper

650 in two years. Jackson said her system allocated resources to hire more counselors and design a plan to help misbehaving students learn through "discipline." Punishment, she said, doesn't teach a lesson the way well-designed discipline does.

Other panelists were Police Chief David Alexander III, Circuit Judge E. P. Nickinson, and former public defender Mary McDaniel. Pensacola News Journal Executive Editor Lisa Nellesen-Lara was the moderator.

Paula Montgomery, chair of the League's education committee, expressed her thanks to Franco's for "endlessly" excellent accommodations, to Bob Wilson and his daughter for managing the audio, and to Bill Caplinger for setting up and overseeing the TV hookups in the restaurant's overflow rooms. James Scaminaci videotaped the event and will post it on YouTube.

Check out the video found on the LWVPBA YouTube Channel:

<https://www.youtube.com/channel/UCx0TAJOwUW5XzWjCWzVnYLw> ◇

Calendar

September

- 1 Tuesday, 5:30 pm **Board Meeting** at the Downtown Library on Spring Street in the Conference Room. Members are always welcome.
- 15 Tuesday, 10:00 am Azalea Trace, **International Relations**, Great Decisions discussion on *Brasil's Metamorphosis*, led by Sally Trimble. For further information contact Gene Feicht at 479-3352
- 19 Saturday, 10:30 am program. **General League Meeting**, New Tryon Branch Library, 1200 Langley Ave. Speaker: **Patty Hightower**, Escambia County School Board Chair, *Funding Education*.
- 19 Saturday, 12:30 -2:00 pm **Money in Politics Study Committee**, New Tryon Branch Library, For information, contact Elizabeth King, chairperson, at 920-246-0904 or kinge3324 at gmail.com.
- 29 Tuesday, 5:30 pm, Natural Resources Committee, Main Library downtown. Contact Mary Gutierrez,

October

- 17 Saturday, 10:30 am program. **General Meeting**, New Tryon Library, *White-paper on Deep Well Injection and panel discussion*.

Community Expressed Great Interest in an Appointed School Superintendent

The discussion of the appointment of the school superintendent for Escambia County brought a 'standing room only' group of interested citizens to the mid-August League meeting at the Tryon Library. Presentations by *Robert deVerona* and *Lou Ray* identified specific aspects of appointing rather than electing the leader of our local school system.



President Haley Richards moderates the discussion with Lou Ray (standing) and Robert deVarona

Businessman Robert deVarona expressed his passion for our community and his efforts to improve the public school system. He cited improvements in Finland's education system that

resulted in higher graduation rates as well as an improved economy. Finland's teachers are highly paid professionals who are held in high esteem. Years ago the same was true of teachers in our country.

DeVarona presented his "Pillars of Education" as a necessary part of comparing the ideal school system with existing conditions in schools. He identified the appointed superintendent as a professional who is qualified and accountable to the policy-making school board. In closing, deVerona stated that the appointment of the superintendent is not a complete solution but rather a step forward.

Lou Ray, former Escambia County School Board Attorney for 22 years, explained the legal process for putting the issue of the appointed superintendent on the ballot:

- The School Board must request that the Escambia County Commission put the issue on the ballot in a regular or special election.
- If the referendum results in a change to the appointed superintendent, the incumbent shall serve the term of office to which he/she was elected.
- A county has the option to follow the same procedures and return to its former status after four years.

A 1962 study dealing with the quality of education in Florida and district school structure resulted in a League position of support for the appointed school superintendent. Members agreed a school board should be able to appoint the best qualified person to administer the schools and that person should be directly accountable to the school board. The school board would, in turn, be accountable to the voters, who elected him. Action to support local referenda on appointed superintendents is one of the League's most active program positions. ◇

July Naturalization Ceremony

By Courtney R. Winstead, 932-5787

On Friday, July 24, 2015, I had the pleasure of attending a naturalization ceremony at the Saenger Theater. This was my first experience at such an event and it was thoroughly enjoyable.

The Honorable Senior United States District Judge, C. Roger Vinson, presided, with the assistance of The Honorable Chief United States Magistrate Judge, Elizabeth M. Timothy and The Honorable First Judicial Circuit Judge Ross M. Goodman. All three judges provided opening remarks.

The entire procedure was administered with professionalism and the right degree of pomp and circumstance. From the Posting of the Colors by representatives of the United States Marine Corps through the inspiring speech by Representative Clay Ingram, Florida House of Representatives and president and CEO of the Greater Pensacola Chamber of Commerce to the songs beautifully sung by Dr. Leo Day, Dean of the School of Music, Southwestern Baptist Theological Seminary, the event made one proud to be an American.

Each individual who wished to become a naturalized citizen had the opportunity to stand and give his or her name and their country of origin. One hundred ninety four persons took the Oath of Allegiance that morning. Countries from around the world, literally, were represented by the persons in attendance.

After Dr. Day sang the last song, America the Beautiful, the entire auditorium erupted in cheers and applause.

If you have never attended a naturalization ceremony, I would humbly recommend you do so. It reminds one of just how fortunate we are to live in the United States of America. No matter how often we see our country maligned by other nations, the reality is, people from all over the globe, when given the choice and chance, come to America to reside. ◇

League Constitution Study for November

A mending the US Constitution study was approved by League members at the 2014 LWVUS Convention. The study information is presented in three parts and, due to time constraints, it is necessary to conduct the initial section through this Voter.

BACKGROUND

The Articles of Confederation, the first government of the United States, could not be amended without the approval of all of the states. The framers of the US Constitution, in Article V, provided for greater flexibility by establishing two methods for amending the Constitution.

First Method to amend the Constitution:

- ◆ A vote by 2/3 of the members of the House of Representatives and the Senate is required for a proposed constitutional amendment to be sent to the Legislatures of the 50 states.
- ◆ A vote by 3/4 of the state legislatures is required for approval of the amendment.

Second Method to amend the Constitution:

1. A vote by 2/3 of the state legislatures requesting a constitutional convention to consider a proposed amendment is required.
2. A vote by 3/4 of the state legislatures is required for approval of the amendment (No amendment has been approved by this method.)

Although 11,000 proposed amendments have been introduced in Congress, only 33 have been submitted to the states for approval and only 27 have been ratified in more than two hundred years. As James Madison argued in The Federalist No. 49, the constitutional road to amendment should be "marked out and kept open" but should be used only "for great and extraordinary occasions." This reliance on self-restraint has functioned well in the past, and the most significant amendments were proposed during two extraordinary periods in American history- the original framing which produced the Bill of Rights and the Civil War period, which freed the slaves, declared them citizens and provided the vote to all citizens.

In recent years there are indications self-restraint may be breaking down. Within the past few years six proposed amendments have reached the floor of the Senate, the House, or both bodies. They include: balanced budget, flag desecration, campaign finance, religious freedom, and imposition of new taxes. Other issues, including changes in immigration laws, religious freedom, outlawing abortions, and repealing Citizens United are currently under discussion.

Reasons to reaffirm self-restraint when considering constitutional amendments:

- ◆ Amendments bind current as well as future generations.
- ◆ Amendments can weaken the Constitution as a symbol of our democratic system and its cherished diversity.
- ◆ Amendments could damage the Constitution's significance if used to control political outcomes.
- ◆ Amendments can exacerbate divisive questions on

fundamental issues.

These restraints should not mean the Constitution should never be changed. There have been times in our history when arguments for restraint have been counterbalanced by the compelling need for reform. Some people may believe this is such a time and, if so, there is nothing illegitimate about urging constitutional change.

Members are asked to read the consensus material associated with each of the questions below and respond to each item, choosing one of the three options. Bring your responses to the September monthly meeting or send your responses to jgde1@aol.com. You may also call Janet deLorge at 607-9170.

Thank you for your participation to assist the League to make our democracy stronger!

Consensus Question 1.a

1. *Which of these should or should not be a consideration in identifying an appropriate and well-crafted amendment?*

a) Whether the public policy objective addresses matters of such acute and abiding importance that the fundamental charter of our nation must be changed.

Should *Should not* *No consensus*

PRO: Amendments are changes to a document that provides stability to our system and should be undertaken to address extreme problems or long-term needs.

CON: When public sentiment is overwhelmingly in favor of change, restraint based on veneration of the document is misplaced

Points of View

Amending the Constitution is one of the most serious and important acts of the people acting through their government. Constitutional amendments are binding for the long-term. The stability that the Constitution provides is one of its key virtues, and that stability will be undermined if the Constitution is amended too often. If you agree that these are important considerations, answer "*Should*."

The Constitution is a tool provided by the framers for
Continue on page 6....

Continued from page 5...

bending government to the will of the people and when popular sentiment is overwhelmingly in favor of change, the people should be able to use Article V. If you agree with this point of view, answer "Should not."

Consensus Question 1.b

b) *Whether the amendment as written would be effective in achieving its policy objective.*

- Should Should not No consensus

PRO: Amendments that may be unenforceable, miss the objective or have unintended consequences will not work to achieve the policy objective.

CON: It's all right to deliberately put something in the Constitution that will need to be interpreted by courts and legislatures over time.

Background

This question is asking if it is important to consider whether an amendment will work. Can it be readily implemented to achieve its intended policy outcome? Will the courts properly interpret the amendment?

Points of View

It is important to consider whether an amendment will achieve its intended policy objectives or will likely fail to do so.

This is crucial in preventing unintended consequences and in giving the courts clear, unambiguous direction. If you agree that these are important considerations, answer "should."

Sometimes it is important just to get started, even if an amendment will need to be interpreted by courts and legislatures over time. Even an amendment that won't achieve its intended policy objectives can serve an important purpose in affirming and entrenching fundamental principles. If you agree with this point of view, answer "should not."

Consensus Question 1.c

c) *Whether the amendment would either make our political system more democratic or protect individual rights.*

- Should Should not No consensus

PRO: Most amendments have sought to make our system more democratic by extending voting rights, for example, or to protect the rights of minorities from powerful interests.

CON: What has been typical in the past is not a good measure of what's appropriate or necessary today or in the future, especially since there have been relatively few amendments

Background

This question is asking whether we think the use of the amendment process should be limited to one of two primary goals: (1) to make the structures of government more responsive to the will of the people (e.g. extension of the franchise, direct election of senators); OR (2) to protect or expand individual rights from government overreach (e.g. most of the Bill of Rights)

Points of View

Most ordinary policy matters should be resolved through the political process by elected representatives. The emphasis in the Constitution should be on the bigger questions: equality, representation, and liberty. If you agree that these are important considerations, answer "Should."

The fact that the majority of ratified amendments fall into one of these two classes is a result of not having many amendments or that other important needs have not yet arisen. What constitutes a mere policy preference of the current majority may not be clear without the long lens of history. Which issues are fundamental, versus which are not, may not be all that clear to proponents or opponents at the time. If you agree with this point of view, answer "Should not."

Consensus Question 1d

d) *Whether the policy objective can be achieved by a legislative or political approach that is less difficult than a constitutional amendment.*

- Should Should not No consensus

PRO: Due to the difficulty of amending the Constitution, it is important to consider whether legislation or political action is more likely to succeed than an amendment, in order to achieve the objective and to expend resources wisely.

CON: Important policy objectives should sometimes be pursued through a constitutional amendment even though it may be difficult for it to be enacted and even when other options are available.

Background

This question is asking whether we think the use of the amendment process should be focused on those circumstances where there is no other course of action or where other courses of action have been exhausted, such as executive action, legislation at the state or federal levels, and traditional politics - electing representatives and appointing judges who are committed to supporting the desired reform.

Continue on page 7....

Continued from page 6...**Points of View**

The Constitution should be amended sparingly, and an amendment cannot be strictly necessary if other avenues exist for accomplishing the same outcome. Using the Constitution to embody specific policy proposals makes those policies more difficult to revise or reverse in the future if circumstances change. Moreover, resources are not infinite and it is important to focus political action on those strategies that are most likely to achieve the policy objective. If you agree that these are important considerations, answer "Should."

On the other hand, a policy objective may be so important that pursuing a number of strategies is the best course of action. When it is unclear what paths are most likely to succeed, a constitutional amendment should be part of the mix. If an amendment is a general policy statement and leaves details and specifics to the courts, then judicial decisions can also play a role. If you agree with this point of view, answer "Should not."

Consensus Question 1.e

e) Whether the public policy objective is more suited to a constitutional and general approach than to a statutory and detailed approach.

Should Should not No consensus

PRO: It is important to consider whether the goal can best be achieved by an overall value statement, which will be interpreted by the courts, or with specific statutory detail to resolve important issues and reduce ambiguity.

CON: Getting action on an issue is more important than how a policy objective can best be achieved

Background

Some topics are best suited to the detailed and specific approach provided by a statute because important issues need to be clearly resolved and ambiguity could allow the courts to misinterpret. Other topics demand a clear values statement and general provisions that may be subject to evolving judicial interpretations. Most amendments that have been adopted have broad general provisions, in keeping with the pattern set by the first 10 amendments which we know as the Bill of Rights.

Points of View

It is important to consider whether a statutory or a constitutional approach is best suited to achieve particular policy goals. Statutes typically set out how a policy should be accomplished. Constitutional amendments, on the other hand, are generally written in broad policy terms and set basic values for American government. Interpretation is left to the courts. If you agree that these are important

considerations, answer "Should."

In contrast, the more important question may be getting action on the overall policy, rather than the specifics of making the policy work. When Congress or the courts fail to implement an important policy, amending the Constitution may be the only way to make a change. If you agree with this point of view, answer "Should not."

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LWV Diversity Policy

The League of Women Voters recognizes that diverse perspectives are important and necessary for responsible and representative decision making. The LWVPBA affirms its commitment to actively seek diversity in its membership, leadership and programs



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