

Rudolph F. Crew, Ed.D., Superintendent of Schools

SUBJECT: ADOPT THE PROPOSED 2005 STATE AND FEDERAL LEGISLATIVE PROGRAMS

COMMITTEE: LEGISLATIVE RELATIONS, PUBLIC RELATIONS AND PERSONNEL SERVICES

As in previous years, the Board has actively advocated policy changes through the state and federal legislative process by formulating a legislative agenda. The proposed 2005 State and Federal Legislative Programs have been prepared by staff and are attached for the Board's review and approval. The development of both programs was initiated by the solicitation of proposals from School Board members, the Superintendent of Schools, staff, school-site personnel, employee groups, and citizen groups. This year's program focuses on the implementation of three strategic priorities – eliminating low-performing schools, raising academic achievement for all students in all schools, and improving business and construction practices.

The regular 2005 State Legislative Session is scheduled to commence on Tuesday, March 8, 2005. It is anticipated that the Governor will call the Legislature into a special session in December 2004 to address the implementation of a Universal Pre-Kindergarten program and hurricane related issues such as insurance and waivers.

The state program reflects a philosophy of fiscal responsibility but insists on an equitable distribution of educational funding to the District, as legally required by the Florida Constitution. Academically, the program reflects the need for reform at the secondary level to include support for the establishment of smaller learning communities through research-based restructuring with an emphasis on the implementation of: 1) transition activities; 2) adult advocate/advisory systems; and 3) accelerated learning and intervention strategies with high academic standards that will ensure all students succeed in rigorous, contextual, and thematic academic coursework.

Through self assessment, re-alignment of functions and the implementation of sound business practices, this administration will continue to achieve internal economies that will ensure that Miami-Dade County Public Schools is an efficient and effective organization that provides high quality educational programs to all its students and a well prepared workforce to the business community. Through these actions, our legislative representatives will be empowered to support our efforts.

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STATE LEGISLATIVE PROGRAM

For the 2004 Special Session and the regular 2005 State Legislative Session, the following legislative priorities are recommended:

FUNDING FOR EDUCATION

Maintain the integrity of the Florida Education Finance Program (FEFP) and equity of funding among school districts by adequately and equitably funding the formula taking into account actual student enrollment, cost of living, equalizing features in the formula, inflation, and the actual cost of delivering programs to special populations.

DISTRICT COST DIFFERENTIAL

Restore the calculation of the District Cost Differential (DCD) based on the traditional Florida Price Level Index that measures differences across the state in the cost of purchasing specific goods and services.

CAPITAL FUNDING

Provide funding and flexibility for the actual capital outlay needs of districts based on existing student station deficits, projected enrollment growth, and the need for replacement of facilities, providing for cost enhancements associated with varying local construction costs, state-mandated requirements and adverse environmental conditions.

PERFORMANCE-BASED FUNDING

Establish performance-based funding as an incentive-based program funded from new state general revenue funds above what is required to adequately and equitably fund the Florida Education Finance Program (FEFP).

SUPPLEMENTAL ACADEMIC INSTRUCTION

Modify the distribution formula for Supplemental Academic Instruction (SAI) funds to recognize the number of Level 1 and 2 students requiring remediation programs.

UNIVERSAL PRE-KINDERGARTEN PROGRAM

Establish and implement a high quality pre-kindergarten program that provides a rich learning opportunity ensuring students are academically ready to enter kindergarten.

SECONDARY EDUCATION REFORM

Support secondary education reform that: provides personalized learning for each student, and encourages the establishment of smaller learning communities through research-

based restructuring with emphasis on the implementation of transition activities; adult/advocate systems; and accelerated learning and intervention strategies with high academic standards that ensure all students succeed in rigorous, contextual, and thematic academic coursework. Support revisions to the state's accountability system that recognize the measures of academic success unique to high schools.

COMMUNITY-BASED EDUCENTERS

Appropriate supplemental funding to support community-based consortia to address critical needs such as health care and relevant educational programs for children from birth to three to ensure that they obtain the skills necessary for success, and literacy, parenting training and continuous professional development for adult learners.

FEDERAL LEGISLATIVE PROGRAM

At the federal level, the 109th Congress enters its first congressional session in January 2005. As we approach the upcoming session, we urge the 43rd President and Congress to make a commitment to our nation's children by investing in public education and the hope it provides to our society. The proposed federal program is primarily comprised of continuing issues from the 108th Congress such as the reauthorization of Individuals with Disabilities Education Act (IDEA), medicaid reimbursement, funding the impact of immigration and school construction needs, and universal service fund (E-Rate).

RECOMMENDED:

That The School Board of Miami-Dade County, Florida:

1. adopt the proposed 2005 State and Federal Legislative Programs; and
2. authorize the Superintendent to advocate the best interest of the district on issues at both the state and federal levels, that may have imminent fiscal, local control, and/or governance impact on school district operations but do not have major policy implications, provided that such issues are reported to the Board.

MIAMI-DADE COUNTY PUBLIC SCHOOLS

2005 STATE LEGISLATIVE PROGRAM

MISSION/GOAL STATEMENT

Provide and support the highest quality education for our diverse community of children and adult learners.

LEGISLATIVE PRIORITIES

FUNDING FOR EDUCATION

Maintain the integrity of the Florida Education Finance Program (FEFP) and equity of funding among school districts by adequately and equitably funding the formula taking into account actual student enrollment, cost of living, equalizing features in the formula, inflation, and the actual cost of delivering programs to special populations.

DISTRICT COST DIFFERENTIAL

Restore the calculation of the District Cost Differential (DCD) based on the traditional Florida Price Level Index that measures differences across the state in the cost of purchasing specific goods and services.

CAPITAL FUNDING

Provide funding for the actual capital outlay needs of districts based on existing student station deficits, projected enrollment growth, the need for replacement of facilities, providing for cost enhancements associated with varying local construction costs, state-mandated requirements and adverse environmental conditions.

PERFORMANCE-BASED FUNDING

Establish performance-based funding as an incentive-based program funded from new state general revenue funds above what is required to adequately and equitably fund the FEFP.

SUPPLEMENTAL ACADEMIC INSTRUCTION

Modify the distribution formula for Supplemental Academic Instruction funds to recognize the number of Level 1 and 2 students requiring remediation programs.

UNIVERSAL PRE-KINDERGARTEN PROGRAMS

Establish and implement a high quality pre-kindergarten program that provides a rich learning opportunity ensuring students are academically ready to enter kindergarten.

SECONDARY EDUCATION REFORM

Support secondary education reform that: provides personalized learning for each student, and encourages the establishment of smaller learning communities through research-based restructuring with emphasis on the implementation of transition activities; adult/advocate advisory systems; and accelerated learning and intervention strategies with high academic standards that ensure all students succeed in rigorous, contextual, and thematic academic

coursework. Support revisions to the state's accountability system that recognize the measures of academic success unique to high schools.

COMMUNITY-BASED EDUCENTERS

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LEGISLATIVE ISSUES

FUNDING

The Florida Education Finance Program (FEFP) should continue to:

- Compensate for **higher district cost of living** by including a **District Cost Differential**;
- Allocate funds based upon actual **full-time equivalent (FTE)** student enrollment;
- Provide that the **base student allocation** keep pace with inflation;
- Utilize **program weights** to account for cost variances among programs; and
- Maintain **equalization features** in the formula.

Restore the **calculation of the DCD** based on the **cost of purchasing specific goods and services**, such as food and housing.

Establish **performance-based funding** as an **incentive-based program** funded from new general revenue funds.

Continue **safe schools, supplemental academic instruction, ESE guaranteed allocation, and instructional technology** as categorical programs and increase each to accommodate student enrollment and inflation.

Adjust the equalized **discretionary millage** to reflect tax roll growth and inflation.

Modify the distribution formula for **Supplemental Academic Instruction** funds so that it recognizes the number of Level 1 and 2 students requiring remediation programs.

CAPITAL OUTLAY FUNDING

Repeal statutory limitations on the use of the 2-mill capital outlay levy.

Amend the **Classrooms for Kids** (class size reduction capital outlay) allocation formula for capital outlay funding to **reflect actual capital outlay need** and the intent of the constitutional amendment.

Support a **sales tax exemption on all equipment and materials** used to construct and maintain a public K-12 facility, not limited to materials and equipment incorporated directly into the building, ensuring that the savings are passed on to the school districts.

Appropriate funds for the construction and the acquisition of the necessary equipment for a specialized vocational skills center for the high growth needs of the construction industry in South Florida.

UNIVERSAL PRE-KINDERGARTEN PROGRAM

Implement a high quality pre-kindergarten learning program that includes:

- oversight by the Florida Department of Education;
- minimum qualifications for teachers;
- curriculum models that provide appropriate teaching strategies, are research-based, and have positive evaluation results;
- professional development;
- program length of 6 hours per day for 180 days; and
- funding based on full-time equivalents.

WORKFORCE DEVELOPMENT

Maintain or increase **Workforce Development** funding.

Expand the use of **workforce education funds** to provide instruction in technology literacy and foreign language skills when labor market conditions warrant it.

PERSONNEL MANAGEMENT

Create a **retiree health insurance and prescription drug program** funded by the state.

Support accelerated certification programs for foreign-born individuals who were educators in their native countries.

FACILITIES MANAGEMENT

Exempt the **cost of building a parking garage and specialized facilities** from the cost of a student station.

Amend state statutes requiring the **cost per student station to increase** by the Construction Cost Index instead of the Consumer Price Index.

Amend statutes to create a **waiver process** from the cost per student station for **specialized educational facilities.**

OTHER FUNDING ISSUES

Fund franchised **Florida virtual high schools at local school districts** in the same manner as at the Florida Virtual School.

Increase weights for **secondary technical education** programs.

POLICY STATEMENTS

Preserve the integrity of the FEFP which was created to provide equal education to every student residing within Florida regardless of where they live or their respective educational needs.

Support **maximum flexibility** in the use of **categorical funds**.

Continue to incrementally fund class size reduction while providing **adequate funding of the FEFP.**

Establish a **stable, long-term revenue source for construction, maintenance, replacement, and remodeling** of educational facilities.

Support alternative assessments to the 10th grade FCAT.

Oppose the imposition of **unfunded state-mandated expenditures.**

Oppose the deletion of **impact fees** unless replaced with another revenue source.

Support tax credits for donations to public school educational foundations.

Support increased accountability measures for all publicly funded school choice options.

Oppose voucher programs that lack equitable and sufficient accountability measures.

Maintain the current dual delivery system of post-secondary programs.

Recommend a programmatic phase-in of any mandatory K-8 physical education programs due to fiscal concerns.

Fully fund the operating and capital outlay costs of implementing the class size reduction constitutional amendment.

Support the establishment of permanent provisions to assist school districts with severe hurricane damage without negatively affecting resources of other districts.

MIAMI-DADE COUNTY PUBLIC SCHOOLS

2005 FEDERAL LEGISLATIVE PROGRAM

Mission/Goal Statement

Provide and support the highest quality education for our diverse community of children and adult learners.

As the 43rd President and the 109th Congress enter their first congressional session together, we urge the President and Congress to make their commitment to our nation's children by reinvesting in public education.

Individuals with Disabilities

Reauthorize the Individuals with Disabilities Education Act (IDEA) with the following reforms:

- (1) **Provide mandatory full IDEA funding increases leading to 40%** of the national average per pupil expenditures, including preschool, early intervention, and discretionary programs, and provide greater flexibility for the use of funds.
- (2) **Reduce paperwork** for Exceptional Student Education (ESE) to permit teachers to spend more time in the classroom.
- (3) **Cap attorneys' fees** for litigation of ESE cases.
- (4) **Revise discipline provisions** to permit a universal discipline system that can appropriately address the needs of all students, including students with disabilities.

Medicaid Reimbursement

Oppose provisions of the **Medicaid Administrative Claiming (MAC) Guide** that discriminate against school districts as legitimate providers of health services to all children, especially low-income, disabled students.

Workforce Preparation

Support ~~increased~~ **public training and literacy opportunities for low-income adults** under the re-authorization of Temporary Assistance for Needy Families (TANF) and Welfare-to-Work (WtW).

~~Provide funding for building and sustaining the Career Academy Model, combining academic and career training to increase the graduation rates of at-risk secondary students.~~

Enhance funding and effectiveness of public **vocational training, adult education, and family literacy, and career academy programs** through reauthorization of the Perkins

and Adult Education/Literacy legislation and through improved coordination with partner agencies under the Workforce Investment Act (WIA) and Vocational Rehabilitation (VR) legislation.

No Child Left Behind Act Formula-Based Education Funding

Provide funding increases leading to full funding levels authorized by the No Child Left Behind (NCLB) Act, including academic achievement of the disadvantaged (Title I), high-quality teachers and principals (Title II), limited English proficient (LEP) and immigrant students (Title III), 21st-Century schools (Title IV), and parental choice and innovative programs (Title V).

Support ~~reform of the Title I allocation formula to address~~ **formula funding disparities** as identified by the General Accounting Office report of January, 2002, which hinder Title I funds from reaching the nation's poorest students, including over 101,000 eligible children in Miami-Dade County whose 1999-2000 annual allocation would increase by approximately \$9.2 million if funded at the national per-student average.

Support legislative efforts to require **corrective sampling of flawed 2000 Census data** to account for an estimated population undercount of at least 1.9% in Miami-Dade County.

Immigration Impact

Address the impact of federal immigration policies on local school district funds by **supporting the Entrant and Refugee Assistance Program increasing under the Targeted Assistance and Immigrant Education programs appropriation** serving foreign-born, limited English proficient (LEP) students and their families.

School Safety

Support adequate funding for **safe and drug-free school initiatives** and authorize school district police forces to receive Local Law Enforcement Block Grant (LLEBG) funds, based on uniform crime reports, to enhance security measures in and around schools.

~~Support a Homeland Security measure that would allow mandatory funding to districts with police departments.~~

~~Promote gun safety to protect children by authorizing school districts to prohibit the carrying of firearms on school grounds and by requiring child-proof safety locks on all guns.~~

School Construction

Support any **School Construction Initiatives** that would subsidize school districts for new construction, renovation, or repair of the nation's schools, including:

(1) per-student funding for new construction based on the number of new immigrant students, and

~~(2) funds for renovating buildings over 30 years of age and replacing or providing historic renovation to buildings over 50 years of age.~~

~~Increase funding for the Support extension of the annual Qualified Zone Academy Bonds (QZAB) program, which provides for interest free loans to be secured by eligible school districts, and modify legislation to permit school construction and land acquisition, as per the Johnson and Rangel legislation.~~

Technology in Schools

Support continued funding and streamline refund procedures for the **Universal Service Fund Program (E-Rate)** to provide schools and libraries with affordable access to state-of-the-art networking and telecommunications technology.

Higher Education Act

Promote coordination between school districts and area institutions of higher education through re-authorization of the Higher Education Act, ensuring that **highly trained teachers** are provided in needed subject areas and that loan forgiveness and other incentives are provided for teachers to work in high poverty schools.

No Child Left Behind Act (NCLB)

~~Unify state and federal accountability systems by clarifying that a state accountability plan, when approved by the United States Department of Education (USDOE) as meeting the intent of NCLB, determines whether a school is meeting annual yearly progress.~~

Teacher Certification

~~Support statutory changes which streamline the process of state teacher certification for foreign-born educators previously possessing equivalent certification in their home country.~~

HIV and AIDS Awareness

~~Increase funding for HIV and AIDS prevention and education.~~

Appropriation Request (Non-Recurring)

Appropriate funding to support a specialized vocational skills center meeting the high-growth needs of the South Florida construction industry, consistent with national priorities identified through the President's High Growth Job Training Initiative.