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**SUBJECT: ADOPTION OF THE PROPOSED 2009 STATE AND FEDERAL
LEGISLATIVE PROGRAMS**

COMMITTEE: INNOVATION, EFFICIENCY & GOVERNMENTAL RELATIONS

LINK TO DISTRICT

**STRATEGIC PLAN: ESTABLISH GREATER ALLIANCE WITH LEGISLATIVE
BODIES**

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 2009 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, municipal and county governments, and citizen groups. The resulting proposed 2009 State Legislative Program and the 2009 Federal Legislative Program incorporate those items from the prior year that still need to be accomplished with new issues designated by an underscore.

The state legislative session is scheduled to commence on Tuesday, March 3, 2009, with interim committee meetings starting in late November 2008. The proposed 2009 State Legislative Program focuses on a limited number of legislative priorities: Funding for Education; Capital Funding; Certification Requirements; Business Operations; and Policy Statements.

At the federal level, the 111th Congress enters its first congressional session together in January 2009. As we approach the upcoming session, we urge the new President and Congress to reaffirm their commitment to the nation's children by investing in public education and the hope it provides our society by funding the cost of implementing No Child Left Behind (NCLB).

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The proposed 2009 Federal Legislative Program is comprised of ongoing issues including: Funding for Education; Workforce Preparation; No Child Left Behind Act Formula-based Funding; Head Start; Immigration Impact; School Nutrition; Medicaid Reimbursement; School Construction; Technology in Schools; Workforce Preparation; Law Enforcement Technology Enhancements; Education Council of International Cities (ECIC); and The Parent Academy.

RECOMMENDED:

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

1. adopt the proposed 2009 State and Federal Legislative Programs; and
2. authorize the Superintendent to advocate for the best interest of the District on issues at both the state and federal levels that may have impending fiscal, local control, and/or governance impact on Miami-Dade County Public Schools' District operations, but does not have major policy implications, provided such issues are reported to the Board.

IRM-C:lbd

MIAMI-DADE COUNTY PUBLIC SCHOOLS

2009 STATE LEGISLATIVE PROGRAM

GOAL STATEMENT

The Florida Legislature should establish a five-year strategic plan to increase educational funding through the Florida Education Finance Program (FEFP) towards the national average in per pupil expenditures in order to provide the highest quality education so that all of our students are empowered to lead productive and fulfilling lives as lifelong learners and responsible citizens.

LEGISLATIVE PRIORITIES

FUNDING FOR EDUCATION

Fulfill commitment made to hold school district operational and capital funding harmless from the impact of property tax reform and budget shortfalls by funding the student enrollment at minimally 2008-2009 levels of \$6,968.29.

Conduct an impartial third-party study of the Florida Price Level Index to reflect the cost of housing, insurance, and transportation costs rather than wages.

Delay the implementation of the Class Size Amendment at the classroom level until 2010-2011.

Extend the voter-approved operating millage authority from four (4) years to ten (10) years.

Allocate additional funding for low performing schools for professional development and mentoring opportunities for both administrative and instructional staffing.

Implement the following strategies to mitigate the need for education budget shortfalls:

- Reallocate funds that normally would revert back to the state's General Revenue Fund due to lower-than-anticipated student enrollment.
- Reduce or eliminate School Recognition awards;
- Institute a moratorium on new programs;
- Enforce a moratorium on unfunded mandates;
- Provide flexibility in the use of all appropriated funds;
- Use Working Capital Trust Fund to avoid further reductions to education; and
- Explore the feasibility of reducing the mandatory Florida Retirement System (FRS) contribution rate on behalf of employees.

Change reporting date for counties to submit a final adjusted property tax roll to the Florida Department of Revenue from April to September 1 or impose a deadline for local property appraisers to certify final tax roll prior to April.

Fund School Recognition, if at all, separate from the District Discretionary Lottery.

Permit school districts to borrow from the Florida Retirement Service pension program at the carry rate of interest earned on its short term holdings for up to nine months with a first lien on property tax receipts and local operating millage levy received in the fiscal year to provide insulation from dependency on public markets during disrupted periods.

CAPITAL FUNDING

Provide unrestricted flexibility to pay for property and casualty insurance out of capital funds.

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.

Restore the Local Discretionary Capital Outlay levy to 2 mills.

CERTIFICATION REQUIREMENTS

Oppose legislation that reduces the certification requirement for English Speakers of Other Languages (ESOL) teachers.

BUSINESS OPERATIONS

Provide all required Bandwidth to all school districts through Florida Information Resource Network (FIRN).

Require the Auditor General to produce supporting documentation necessary to support findings in final audit reports be available to the auditee.

Oppose further equalization of the .49 Local Discretionary Millage.

POLICY STATEMENTS

Ensure that public workforce education programs, effective public schools, and school districts are authorized to provide Supplemental Education Services (SES) consistent with federal regulations.

Oppose legislation that subverts local control of local school boards and superintendents.

Support maximum flexibility in the use of categorical funds.

Maintain the integrity of the FEFP and equity of funding among school districts.

Oppose the imposition of unfunded, state-mandated expenditures.

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

Oppose voucher programs that lack equitable and sufficient accountability measures.

Oppose any prescribed expenditure requirement such as the "65 percent solution," as a mandate in the Florida Constitution; further, oppose any such legislation, unless established as a spending goal and the definition of "classroom-related" expenditures includes all "instructional support" expenditures.

Repeal the Florida Schools of Excellence Commission.

Support state funding for a high quality, full-day Voluntary Pre-K (VPK) program under the Florida Department of Education.

Oppose legislation that breaks up large school districts.

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

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

Oppose any attempt to equalize the 2-mill capital outlay levy.

Oppose legislation that would limit offering gifted programs to eligible high school students.

Support state funding for the expansion of the HealthConnect Program in our schools.

MIAMI-DADE COUNTY PUBLIC SCHOOLS

2009 FEDERAL LEGISLATIVE PROGRAM

MISSION/GOAL STATEMENT

Provide the highest quality education so that all of our students are empowered to lead productive and fulfilling lives as lifelong learners and responsible citizens.

As the 44th President and the 111th Congress commence their first congressional session together, we urge the President and Congress to reaffirm their commitment to our nation's children by reinvesting in public education.

FUNDING FOR EDUCATION

Increase the federal investment in public education to fully fund the implementation of No Child Left Behind (NCLB) Act and Individuals with Disabilities Education Act (IDEA).

Support adequate funding for safe and drug-free school initiatives.

Support reform of formula funding disparities as identified by the General Accounting Office report of January, 2002, which hinder funds from reaching the nation's poorest students.

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.

ELEMENTARY AND SECONDARY EDUCATION ACT (NO CHILD LEFT BEHIND)

Reauthorize and modify the Elementary and Secondary Education Act (No Child Left Behind Act 2001) to:

- recognize student progress in lieu of the current all-or-nothing approach and recognize degrees of progress for schools;
- ensure fair accountability by providing flexibility for special education and English Language Learners (ELL's) and other formula adjustments, and by requiring identical tests for Title I and Title III students in non-public schools.
- ensure standards are meaningful by developing uniform benchmarks of proficiency for all states to use;
- reward and retain quality teachers by supporting measures that raise pay for teachers in fields with shortages and in high-needs communities; that create career ladder paths; and that assist with rising housing costs;
- allow districts to pay for monitoring and other implementation costs of the Supplemental Education Services out of the required 20% set-aside and ensure that public schools are not unfairly prevented from providing remedial services to students; and
- allocate immigrant funds under Title III based on the number of recently arrived foreign-born students.

HEAD START

Increase funding for the newly reauthorized Head Start Program.

~~Support reauthorization of Head Start which has provided comprehensive education, health, nutrition, and parent involvement services to low-income children and their families since 1965; more than 24 million children have been enrolled in Head Start; approximately 900,000 children are currently served by the program, with 10 percent enrolled in Early Head Start (birth to age three).~~

~~Support maintaining the Head Start program under the U.S. Department of Health and Human Services.~~

IMMIGRATION IMPACT

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

Support the DREAM Act or similar legislation which ~~to provides~~ immigration relief to a select group of students who grew up in the United States, who have good moral character, and who are pursuing a college education or have enlisted in the military; and give allow states the authority to determine whether to grant in-state tuition to state residents regardless of immigration status.

SCHOOL NUTRITION PROGRAM

Increase federal reimbursement rates to more accurately reflect the cost of producing a healthy school meal and make fluid milk a USDA commodity allocation.

Provide funding for the implementation of a federally required nutrition education and Wellness Plan.

MEDICAID REIMBURSEMENT

Oppose any policy revisions to restrict school-based reimbursement for administration expenditures and certain transportation costs for services provided to low-income children with disabilities.

SCHOOL CONSTRUCTION

Support long-term extension of the Qualified Zone Academy Bonds (QZAB) program, which provides for interest free loans to be secured by eligible school districts, and modify program to permit school construction and land acquisition.

SECONDARY SCHOOL REFORM

Support continued and additional funding for secondary education reform including themed, career path-based academies and smaller learning communities.

TECHNOLOGY IN SCHOOLS

Support continued annual allocations of ~~\$2.25 billion~~ for the Universal Service Fund Program (E-Rate) and streamline refund procedures to provide schools and libraries with affordable access to state-of-the-art networking and telecommunications technology.

WORKFORCE PREPARATION

Enhance funding and effectiveness of public vocational training, adult education, family literacy, and career academy programs through improved coordination with partner agencies ~~under~~ through the reauthorization of the Workforce Investment Act (WIA) legislation.

Oppose any efforts to reduce funding for vocational and technical education programs authorized through the Carl D. Perkins Career and Technical Education Improvement Act.

LAW ENFORCEMENT TECHNOLOGY ENHANCEMENTS

Seek federal assistance in providing the district's law enforcement agency new technology equipment allowing officers to spend more time engaged in school policing activities.