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**SUBJECT: ADOPTION OF THE PROPOSED 2010 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 2010 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, Superintendent of Schools, staff, school-site personnel, employee groups, municipal and county governments, and citizen groups. The resulting proposed 2010 State Legislative Program and the 2010 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 2, 2010, with interim committee meetings starting in October 2009. The proposed 2010 State Legislative Program focuses on a limited number of legislative priorities: Funding for Education; Capital Funding; Education; Business Operations; Personnel; Safety; and Policy Statements.

At the federal level, the 111<sup>th</sup> Congress enters its second congressional session in January 2010. As the upcoming session approaches, the District will urge the 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 fully funding the cost of implementing No Child Left Behind (NCLB).

**E-76**

The proposed 2010 Federal Legislative Program is comprised of ongoing issues including: Funding for Education; Elementary and Secondary Education Act (No Child Left Behind); Early Childhood Education; Immigration Impact; School Nutrition Program; Medicaid Reimbursement; School Construction/Renovation; Secondary School Reform; Technology in Schools; Workforce Preparation; Health Care; Personnel; Law Enforcement Technology Enhancements; The Parent Academy; and Cultural Passport.

**RECOMMENDED:**

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

1. adopt the proposed 2010 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.

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## MIAMI-DADE COUNTY PUBLIC SCHOOLS

### 2010 STATE LEGISLATIVE PROGRAM

#### GOAL STATEMENT

*The Florida Legislature should establish a five-year strategic plan to restore, stabilize, and increase funding through the Florida Education Finance Program (FEFP) to achieve at least the national average in per pupil expenditures in order to provide the highest quality education to enable all of our students to be empowered to lead productive and fulfilling lives as lifelong learners and responsible citizens.*

#### LEGISLATIVE PRIORITIES

##### FUNDING FOR EDUCATION

Increase total potential (state and local) funding through the Florida Education Finance Program towards the national average by increasing the Base Student Allocation by at least \$100 per student.

Develop and implement a plan to phase-out America's Recovery and Reinvestment Act – State Stabilization Funds embedded in the Florida Education Finance Program by 2011-12 with state revenue.

Establish a long-term, stable and recurring revenue source sufficient to full the state's constitutional requirement of providing adequate uniform, efficient, safe, secure and high quality system of free public schools that allows students to obtain a high quality education.

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

Support the modification of the class size constitutional amendment to provide for:

- Maintenance of the accountability measure for the class size calculation at the school-wide average while ensuring that the number of students in any individual core class does not exceed the constitutional limit for each grade grouping by no more than three students in grades preK-3, four students in grades 4-8; and five students in grades 9-12;
- Full funding for the implementation of the amendment to hire highly qualified teachers; and
- Full funding for the capital outlay costs for implementation.

Delay the penalties associated with non-compliance with the class size amendment until it is fully funded by the State.

Impose a deadline for local property appraisers to certify final valuation of the tax roll prior by June 30<sup>th</sup> of each year.

Examine Florida's tax structure and phase out sales tax exemptions for non-essential goods and services.

Ensure that funding generated from the state's compact with the Seminole Tribe of Florida is dedicated to K-12 education while not reducing the state's General Revenue contribution to education.

Conduct an impartial third-party study to develop a Cost of Education Index that focuses on the cost differences integral to K-12 public school district operations that reflects such costs as average teacher salaries, health insurance for employees, property insurance per FTE, and transportation costs per FTE.

### **CAPITAL FUNDING**

Restore the Local Discretionary Capital Outlay levy to 2 mills, while opposing any further reduction in capital millage available to school districts for the purpose of balancing the operating budget.

### **EDUCATION**

Amend Florida Statute 1003.455 to require a student requesting to opt out of physical education to pass a competency test on personal fitness and nutrition with a "C" or higher; and pass a nationally recognized fitness performance test; or enroll in a semester-long dance class.

Delay the implementation of the new high school grading system until the state fully funds the cost of students participating in Advanced Placement, International Baccalaureate, Dual Enrollment, AICE, ACT, PSAT, and SAT.

Exempt specialized centers for hospital or homebound students from the state's school grading and Differentiated Accountability requirements and related sanctions.

Support legislation establishing high academic standards with appropriate funding and implementation timelines.

Clarify that charter schools are subject to class size reduction limitations and consequences for non-compliance similar to that of the traditional public school.

Support legislation allowing school districts to open and operate charter schools, other than conversion charter schools, as an option for consistently failing public schools pursuant to Section 1008.33, Florida Statutes.

Amend State Board Rule 6A-6.0903 Requirement for Classification and Post Reclassification of English Language Learners (ELLs) to require the use of only the Florida Comprehensive English Language Learning Assessment (CELLA) scores while requiring proficiency in each of the components (listening/speaking, reading, and writing) for exist purposes.

Amend state statutes 1002.37 to allow districts virtual school franchises to generate funding per student above the 1.0 cap for successful completions including those completed during the summer similar to the Florida Virtual School.

Amend state statutes 1002.45 to eliminate the requirement that a student had to attend a Florida public school the prior school and included in the October and February surveys.

Support legislation that will require high quality of training in reading and English language development for teachers responsible for instructing English Language Learners (ELL).

Support the development of high quality English language proficiency (ELP) standards.

Support legislation that ensures that FCAT test is not administered during religious holidays.

### **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.

Amend Florida Statute Section 440.13(3)(i) to include physician-dispensed, re-packaged pharmaceuticals, as authorized by Section 465.0276, Florida Statutes, within the reimbursement parameters of Average Wholesale Price (AWP) plus a dispensing fee and not a separate reimbursement amount for re-packaged, re-labeled pharmaceuticals.

Establish, fund, and administer a statewide medical insurance program for eligible state and local retirees, until Medicare eligibility, participating in the Florida Retirement System (FRS) and funded through the FRS.

### **PERSONNEL**

Restore the ability of school districts to re-employ retired employees, subject to superintendent approval, with the condition that they do not receive Florida Retirement benefits for a period of one year and may not re-enroll in the Florida Retirement Service.

### **SAFETY**

Support the enactment of a "Slowing Down Zone" as proposed in the Shaye Patrick Martin Safety Act developed by students of the Miami-Lakes Middle School Project Citizen Class.

### **POLICY STATEMENTS**

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.

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 capital outlay levy.

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

Oppose further equalization of Discretionary Millage.

# MIAMI-DADE COUNTY PUBLIC SCHOOLS

## 2010 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 111<sup>th</sup> Congress begin their second session, 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.

### **EARLY CHILDHOOD EDUCATION**

Increase funding for the newly reauthorized Head Start Program.

Support federal funding to develop, expand, and enhance quality voluntary preschool programs while ensuring the adoption of developmentally appropriate early education standards that are aligned with state K-12 academic content standards.

### **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 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 allow states 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.

Implement a tiered system of income eligibility guidelines and reimbursement rates taking into account the varying cost of living in communities throughout the nation.

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

### **MEDICAID REIMBURSEMENT**

Continue to 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/RENOVATION**

Support supplemental funding for implementing "green" sustainable projects that will improve operational efficiency, reduce carbon footprint, extend the useful life of existing school buildings and eliminate adverse indoor environmental conditions that are not conducive to learning.

Support supplemental funding for large school districts with high levels of free and reduced lunch to implement "green" sustainable projects, including upgrading technology infrastructure and replacement of school buses or maintenance vehicles that will improve operational efficiency, reduce carbon footprint, extend the useful life of existing school buildings and eliminate adverse indoor environmental conditions that are not conducive to learning.



## **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 increased allocations and expand the eligible expenditures to include educational linkage beyond the school 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 through the reauthorization of the Workforce Investment Act (WIA) legislation.

Support the role of district-operated adult education and job training in new federal initiatives including Green Jobs, Fast-Track-to-College programs, and the Adult Education and Economic Growth Act, or similar legislation impacting workforce education.

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

## **HEALTH CARE**

Guarantee the availability and security of employment-based health benefits plan and guarantee that employee tax exclusion for health benefits is not limited or capped.

## **PERSONNEL**

Support increased funding to recruit, develop and retain highly qualified teachers in fragile or low-performing schools.

## **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.

## **THE PARENT ACADEMY**

Seek federal supplemental funding to support programming expansion, curriculum development, professional development and national replication of The Parent Academy, a parent engagement program launched in 2005.

## **CULTURAL PASSPORT**

Seek federal supplemental funding for the Miami-Dade County Public Schools Cultural Passport program, a new educational initiative that will provide all students, grades K-12, with a different cultural field experience each school year ensuring a well-rounded educational experience inclusive of the arts.