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**SUBJECT: ADOPTION OF THE PROPOSED 2013 STATE AND
FEDERAL LEGISLATIVE PROGRAMS**

**COMMITTEE: INNOVATION, EFFICIENCY & GOVERNMENTAL
RELATIONS**

**LINK TO STRATEGIC
FRAMEWORK: FINANCIAL EFFICIENCY/STABILITY**

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 2013 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 2013 State Legislative Program and the 2013 Federal Legislative Program have been streamlined to include priority action items and policy items that provide direction to the Board's legislative team, comprised of both staff and legislative consultants. New issues are designated by an underscore.

The state legislative session is scheduled to commence on Tuesday, March 5, 2013, with interim committee meetings starting in November 2012. The proposed 2013 State Legislative Program focuses on a limited number of legislative priorities: Funding; Accountability; Capital Funding; School Readiness; Charter Schools; Teacher Preparation/Compensation; Safety; Workforce Development; and Policy Statements.

At the federal level, the 113th Congress enters its first congressional session in January 2013. 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 the Elementary and Secondary Education Act and avoiding potentially damaging reductions in education.

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The proposed 2013 Federal Legislative Program is comprised of ongoing issues including: Federal Education Resources; Elementary and Secondary Education Act; Early Childhood Education; Immigration Impact; School Nutrition; Medicaid Reimbursement; School Construction and Renovation; Technology in Schools; Workforce Preparation; Health Care; Personnel; and Cybercrime.

RECOMMENDED:

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

1. adopt the proposed 2013 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 fiscal, local control, and/or governance impact on Miami-Dade County Public Schools' 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

2013 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 to provide the highest quality education and to enable all of our students to be empowered to lead productive and fulfilling lives as lifelong learners and responsible citizens.

2013 LEGISLATIVE PRIORITY POSITIONS

FUNDING:

Restore the state's investment in K-12 education by increasing the Base Student Allocation (BSA) by \$100 per student multiplied by the annual inflationary rate until per pupil funding is at pre-recession levels by designating a percentage of economic growth dollars to education as the state's economy recovers and grows.

Maintain the current required employers' contribution rate to the Florida Retirement System by absorbing any planned increase in local employer's contribution for the 2013-2014 fiscal year.

ACCOUNTABILITY:

Exempt Exceptional Student Education (ESE) centers from the school grading system, develop appropriate alternative assessment model that appropriately measures student achievement, and establish statewide criteria for student placement in ESE centers.

Fully fund the development of end-of-course (EOC) exams. Eliminate the requirement of passage of an EOC exam(s) for promotion, and EOC's should not exceed more than 30 percent of a student's final grade.

Revise the current assessment system and accountability system to:

- provide the inclusion of data from multiple forms of assessments;
- eliminate the practice of using student performance on a standardized test as the primary basis for student and school performance;
- assess student proficiency based on progress made from the beginning to the end of the school year;
- authorize alternate methods for assessing learning and achievement for special populations such as ESE and English Language Learners (ELL) students; and,
- provide the Florida Comprehensive Assessment Test (FCAT), PARCC, and other statewide assessments in multiple languages as allowed by federal regulations. (H-22, approved September 5, 2012)

CAPITAL FUNDING:

Increase the allowable discretionary voted capital outlay millage by .10 mill annually until restoration of the full 2 mills.

Allow local school boards the flexibility to determine amortization of principal if at least 45% of total principal is paid within the initial 15-year period bonds are outstanding and remove the requirement of level debt service for the issuance of school districts' general obligation bonds under Florida Statute 1010.49

Expand the allowable use of a locally voted upon sales tax to include operating expenses that maintain, renovate, or repair existing school facilities or maintain, secure, or upgrade school technology equipment.

Fully fund the Public Education Capital Outlay Program that involves construction and maintenance programs of public school districts.

SCHOOL READINESS:

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

Support legislation that requires early childhood providers to use evidenced-based/research-based curricula and requires pre and post assessments to ensure that children are kindergarten-ready.

CHARTER SCHOOLS:

Oppose any diversion of Local Discretionary Capital Outlay levy revenue from traditional public schools to charter schools.

Oppose any changes to current requirements regarding charter conversion of traditional public schools that dilute the role of parents, teachers, and community stakeholders.

Support capital funding for charter schools that:

- Creates neither a reduction of funding to traditional public schools either in operating or capital funding nor a requirement for additional taxing mandate on the local school district;
- Requires public input; and
- Protects the taxpayers' investment ensuring that capital funding be spent only on assets that can be returned to the public school district.

Establish a level playing field for traditional public schools by extending the current statutory flexibility such as the exemption from State Education Required Facilities (SREF), categorical funding, accountability, class size reduction compliance, and penalties afforded charter schools.

Include local school boards as allowable entities to operate charter schools including virtual charter schools.

Improve safeguards of tax payer investments and transparency between traditional public schools and charter schools, including, but not limited to, implementing the following safeguards:

- Require charter school applications and lottery be administered by the local school board to ensure a fair, equitable, and transparent process for all students;

- Allow local school districts to negotiate an appropriate usage fee based on market comparables;
- Require funding to follow the student when transferring between charter and traditional public schools during the school year; and
- Establish financial disclosure standards and requirements for charter school officers and related parties involved in financial decision making, similar to traditional public school standards.

TEACHER PREPARATION/COMPENSATION:

Require teacher certification to meet the requirements of No Child Left Behind (NCLB) and align state standards to ensure that teachers are highly qualified in content areas as well as in pedagogy.

Commit to long-term funding stability for teacher performance pay and teacher evaluation systems.

Amend state statutes related to the Student Success Act to clarify that:

- Only one annual evaluation is required for teachers;
- Measurable learning growth is based on school-wide achievement data and not limited to the goals in the School Improvement Plan (SIP); and
- Educational program needs must include the ability for instructional staff to be qualified to certify students in vocational areas for industry-certified programs.

SAFETY:

Increase funding for Safe Schools to implement and expand interventions that focus on reducing disruptive and aggressive behaviors and strengthen emotional and behavioral competencies of students.

Support legislation that implements harsher penalties for individuals deliberately placing pornographic or obscene materials in school zones.

WORKFORCE DEVELOPMENT:

Continue to allow co-enrollment as a strategy for high school students who need credit recovery.

Eliminate the one-year residency requirement prior to enrollment in adult education courses.

Maintain the current dual delivery system of post secondary programs.

POLICY STATEMENTS:

Funding

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

Fully fund class size reduction requirement while providing increases to the Base Student Allocation (BSA) and other components of the FEFP.

Modify the penalty for non-compliance with the constitutional class size requirement to loss of the Class Size Reduction categorical allocation and not loss of the full Base Student Allocation.

Examine Florida's tax structure and phase out sales tax exemptions for non-essential goods and services; ensure that internet sales remit necessary sales tax to Florida.

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 reflect such costs as average teacher salaries, health insurance for employees, property insurance per FTE, and transportation costs per FTE.

Oppose the imposition of unfunded, state-mandated expenditures.

Support maximum flexibility in the use of categorical funds.

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

Oppose any prescribed expenditure such as the "65 percent solution" as a mandate in the Florida Constitution and further oppose any such legislation, unless established as a spending goal with the definition of expenditures to include all instructional support expenditures.

Oppose further equalization of Discretionary Millage.

Preserve funding for Advanced Placement and International Baccalaureate programs.

Support legislation that would allow in-state tuition for undocumented students if they meet high school attendance and graduation requirements.

Fund the cost for the acquisition of computers for the mandated expansion of computer-based administration of statewide testing.

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.

Oppose any attempt to equalize the capital outlay levy.

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

Governance

Oppose legislation that subverts district governance of constitutionally elected local school boards and elected or appointed superintendents.

Oppose legislation that modifies the governance structure of The School Board of Miami-Dade County, Florida.

Oppose legislation that breaks up large school districts.

Choice

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

Oppose voucher programs that lack equitable and sufficient accountability measures.

Oppose implementation of additional or any increases in funding for voucher programs while requiring more accountability from schools receiving Florida Tax Credit Scholarship (FTCS) funding.

Academics

Support legislation that will require high-quality 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.

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

Support legislation that delays Academic Scholarship Signing Day until May of each year.

Support legislation that ensures that FCAT testing not be administered during religious holidays.

Require the state to provide a minimum of one-year lead time on new state requirements for school districts.

Eliminate textbook adoption requirements, and allow districts to use a variety of sources for materials.

Student Safety

Support legislation prohibiting reading, writing, or sending text messages on an electronic communications device while operating a motor vehicle in a school zone.

Support legislation that proposes a "slowing down zone" within an area prior to entering a school zone.

Support legislation to broaden existing statutory prohibition on bullying and harassment to incorporate "emotional pain or discomfort" experienced by an alleged victim of bullying as one of several factors providing evidence of bullying behavior.

Support funding to provide training for students, parents, teachers, school administrators, counseling staff, and volunteers to learn how to recognize behaviors that lead to bullying and harassment.

MIAMI-DADE COUNTY PUBLIC SCHOOLS

2013 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 first session of the 113th Congress convenes, we urge the President and Congress to reaffirm their commitment to our nation's children by reinvesting in public education.

FEDERAL EDUCATION RESOURCES

Exempt K-12 and workforce education from budget cuts under sequestration or related deficit negotiations.

Increase the federal investment in public education to fully fund the implementation of the Elementary and Secondary Education Act (ESEA) and Individuals with Disabilities Education Act (IDEA).

Oppose any reduction in entitlement funding to school districts such as Title I appropriations for disadvantaged students, Title II for improving teacher and principal training and recruiting, or Title III for English Language Learners (ELLs).

Increase funding for safe and drug-free school initiatives to implement and expand interventions that focus on reducing disruptive and aggressive behaviors and strengthen students' emotional and behavioral competencies.

Support reform of formula funding disparities which hinder resources from reaching the nation's poorest students.

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;
- eliminate sanctions associated with not meeting adequate yearly progress;
- support uniform national assessments aligned with national standards to allow for valuable comparison of student achievement among states;
- ensure fair accountability by providing flexibility for special education and ELLs and other formula adjustments and by requiring identical tests for Title I and Title III students in non-public schools;

- include other indicators for accountability such as dual enrollment industry certification and Advanced Placement (AP) courses, graduation rates, and dropout attendance suspensions in determining Adequate Yearly Progress (AYP) and align accountability standards with those in the School Improvement grant;
- reward and retain quality teachers by supporting measures that raise pay for teachers in fields with shortages and/or in high-need communities; that create career ladder paths; and that assist with rising housing costs;
- establish new qualification requirements for teachers and paraprofessionals to ensure that teachers be highly skilled in content areas, as well as in pedagogy;
- allow districts to use Supplemental Education Services (SES) funds to provide tutoring to eligible students, as well as pay for monitoring and other implementation costs out of the required 20% set-aside, and ensure that public schools not be unfairly prevented from providing remedial services to students;
- require that funding to SES private providers be contingent on outcomes on norm-referenced assessments developed and administered by the state and/or the district; and
- allocate immigrant funds under Title III based on the number of recently arrived foreign-born students.

EARLY CHILDHOOD EDUCATION

Support increased funding for the Head Start Program and appropriate early education standards for Head Start that are aligned with state academic content standards designed to ensure school readiness.

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.

Support the Early Learning Challenge Fund or similar legislation that encourages states to develop effective, innovative child care delivery models that promote high quality childhood education programs and ensure school readiness.

IMMIGRATION IMPACT

Address the financial impact of federal immigration policies on local school districts by supporting the Entrant and Refugee Assistance Program under the Targeted Assistance and Immigrant Education allocation serving foreign-born students and their families.

Support the DREAM Act or similar legislation that would provide 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 fees to state residents, regardless of immigration status.

SCHOOL NUTRITION

Support increased federal reimbursement rates to more accurately reflect the cost of producing a healthy school meal, including making the six cent certification permanent.

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

Provide resources for the implementation of 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/RENOVATION

Support supplemental allocations for large school districts with high levels of free and reduced-price lunch participants to implement “green” sustainable projects, including upgrading technology infrastructure, replacing school buses or maintenance vehicles to improve operational efficiency and to reduce the carbon footprint, and extending the useful life of existing school buildings by eliminating adverse indoor environmental conditions that are not conducive to learning.

TECHNOLOGY IN SCHOOLS

Support increased resources and expand 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

Support increased funding for workforce skills development under the Workforce Investment Act (WIA), the Carl T. Perkins Career and Technical Education Improvement Act, and new federal workforce initiatives and oppose block grants that fail to build upon best practices, minimize barriers to service coordination, and safeguard the needs of all US workers, including low-literacy and disadvantaged populations.

Preserve the role of district-operated adult education and job training programs.

HEALTH CARE

Retain tax-advantaged status of employee and employer contributions for healthcare premiums and costs including Health Savings Accounts (HSA) and Health Reimbursement Accounts (HRA) as well as Flexible Spending Accounts (FSA).

PERSONNEL

Enhance resources to recruit, develop, and retain highly qualified teachers in fragile or low-performing schools.

CYBERCRIME

Support legislation that provides supplemental resources to assist school districts in deferring internet crime and cybercrime through awareness and promotion prevention to our students, teachers, and parents.