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**SUBJECT: ADOPTION OF PROPOSED 2017 STATE AND FEDERAL
LEGISLATIVE PROGRAMS**

**COMMITTEE: INNOVATION, GOVERNMENTAL RELATIONS, AND
COMMUNITY ENGAGEMENT**

**LINK TO STRATEGIC
BLUEPRINT: EFFECTIVE AND SUSTAINABLE BUSINESS PRACTICES**

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 2017 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 proposed 2017 State Legislative Program and the 2017 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 staff and legislative consultants. New issues are highlighted with underscores.

The state legislative session is scheduled to commence on Tuesday, March 7, 2017, with interim committee meetings starting in November 2016. The proposed 2017 State Legislative Program focuses on a limited number of legislative priorities: Funding; Accountability and Assessment Reform; Academics; Capital Funding; School Readiness; Charter Schools; Teacher Shortage; Safety; Facilities; Workforce Development; Virtual Education; Civic Engagement; and Policy Statements. It is recommended that the priorities focus on increasing state funding, opposing the diversion of capital outlay millage, and obtaining a third-party study of the education funding formula.

The state's budget projections are bleak for upcoming years. Recently, state economists released Florida's long-range financial outlook, which indicated a strong economy now but with projected expenditures based on current policies to exceed projected revenues in years 2018-2019 and 2019-2020 by approximately \$1.3 billion and \$1.8 billion respectively. There is no anticipated budget gap for 2017-2018, and a minimal estimated budget surplus of \$7.5 million is projected.

At the federal level, the 115th Congress enters its first congressional session in January 2017. 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 (ESEA) thus avoiding potentially damaging reductions in education funding and services.

The proposed 2017 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; Student Privacy; Technology in Schools; Workforce Preparation; Health Care; Personnel; and Student Safety.

RECOMMENDED:

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

1. adopt the proposed 2017 State and Federal Legislative Programs; and
2. authorize the Superintendent to advocate for the best interests of the District on issues at the state and federal levels that may have fiscal, local control, and/or governance impact on Miami-Dade County Public Schools' operations, but do not have major policy implications, provided such issues are reported to the Board.

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**MIAMI-DADE COUNTY PUBLIC SCHOOLS
2017 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.

2017 LEGISLATIVE PRIORITY POSITIONS

FUNDING:

Increase the state's investment in K-12 education by increasing the Base Student Allocation (BSA) by five percent annually to allow school districts to enhance teacher salaries.* (Tri-county Position)

Conduct an impartial third-party study to develop a cost of education index which focuses on cost differences integral to educational institutions' operations reflecting such costs as average teacher salaries, health insurance for employees, property insurance per FTE, and transportation costs per FTE.* (Tri-county Position)(MDC)

Increase Safe Schools funding and revise allocation formula so that each district's allocation is equal to fifty percent of prior year eligible district expenditures.* (Tri-county Position)

Fully fund the infrastructure cost and the acquisition of computers for the mandated expansion of computer-based administration of statewide testing, and the digital content conversion required by 2016-2017.

Amend F.S. 1011.61 to fully fund programs taken by students beyond the 1.0 FTE cap or 25 hours a week such as dual enrollment or virtual classes outside the traditional school day and year.
(Tri-county Position)

Provide school districts flexibility in the delivery of the additional 180 hours of instruction for the lowest 300 elementary schools to include summer school, Saturday school, afterschool or any combination of these strategies. (Tri-county Position)

Eliminate the arbitrary cap on the number of gifted high school students funded.

Provide funding for summer immersion programs for English Language Learners (ELL).
(Tri-county position)

Provide supplemental funding to create community-based networks that develop, coordinate and provides quality education, parental training, accessible health care, housing, youth development programs, and employment opportunities to ensure safe neighborhoods for children and their families.

ACCOUNTABILITY AND ASSESSMENT REFORM:

Revise the current accountability assessment system to:

- Authorize alternate methods for assessing learning and achievement for special populations such as Exceptional Student Education (ESE) and English Language Learners (ELL) students;
- Provide Florida's statewide assessments in multiple languages to ELL who have received instruction for less than three years as allowed by federal regulations;
- Provide a waiver from the passage of the English Language Arts (ELA) requirement for ELL students who have passed all other high school graduation requirements and have been enrolled in school less than two consecutive years;
- Delay the implementation of computer based testing (CBT) until all districts have sufficient infrastructure and devices to ensure that testing windows are reasonable, maximizing instruction time;
- Include the performance of ELL students enrolled in school for more than two years for accountability on the Florida Standards Assessment (FSA);
- Set goals for ELL and ESE subgroups based on achieving learning gains versus achieving proficiency;
- Disaggregate ELA writing and comprehension/reading scores; and
- Use graduation or career readiness rates for the additional academic accountability indicator for high school and growth in the lowest 25 performing high schools as the school quality indicator pursuant to ESSA for elementary and middle grades.

ACADEMICS:

Amend F.S. 1007.271 to clarify that when dual enrollment takes place on the post-secondary campus, the college/university provides the special needs accommodations as part of the standard tuition that the school district pays.

Require Florida Department of Education to create a Spanish K-5 endorsement to support the implementation of Seal of Biliteracy and assist school districts in identifying qualified teachers in the area.

Eliminate the requirement for a public hearing on the adoption of instruction materials if the textbook selected is on the state-adopted list.

Provide the lowest 300 performing elementary schools a year of planning prior to the requirement of the additional hour of instruction.

Streamline the use of district-approved 504 plans for students taking the SAT and PSAT, as well as other standardized testing such as AP/IB/AICE.

CAPITAL FUNDING:

Oppose any diversion of Local Discretionary Capital Outlay levy revenue from traditional public schools to charter schools.* (Tri-county position)

SCHOOL READINESS:

Support state funding for a high-quality, full-day Voluntary Pre-Kindergarten (VPK) program for all eligible students.* (Tri-county position)

Support the reinstatement of state funding to implement a developmentally appropriate on-going assessment tool to timely measure children's progress and development, inform the teachers and parents, and evaluate the programs effectiveness.

Streamline registration, certification of attendance and transfers of students to maximize operational efficiency and facilitate appropriate funding for students served in VPK.

Amend F.S. 1002.69 to require a pre- and post-assessment tool to timely assess the VPK Provider Kindergarten Readiness Rates.

CHARTER SCHOOLS:

Amend Florida statutes to allow school boards with at least 10 percent of student enrollment in charter schools to analyze the need for additional charter schools and/or require new charters to locate in areas to address overcrowding, provide choice opportunities to students/parents zoned to failing schools, or meet a specific academic need the school district is not addressing.

(Tri-county Position)

Allow local school districts to negotiate an appropriate usage fee based on market comparables for the use of public educational facilities.

Require charter school applicants to submit a letter of intent to the school district prior to submission of the charter application identifying the educational program, inclusive of grade levels and number of students; evidence of community support, need and demand; impact analysis on surrounding community(ies), inclusive of public and non-public educational institutions; description of actual physical location of the proposed school; and completed background verification at the expense of the applicant.

Require charter schools to submit facility occupancy and use documentation by the 30th day prior to the first day of the school year. If unable to meet the deadline, the school may default to an automatic deferral and planning year. (Tri-County Position)

Clarify 1002.33 (9)(n)4., F.S. to ensure no additional action is required by the school board to terminate charter contracts and close charter schools that are automatically terminated for academic performance, after all applicable school grade appeals and exceptions are exhausted.

Clarify the use and permissible transfers/loans of FEFP funds and establish prohibition of transferring FEFP funds outside the county in which those funds are generated in.

Support legislation that prohibits applicants that have existing schools under academic or financial corrective action plans, investigation, investigation or some other kind of sanction to apply for an additional charter.

TEACHER SHORTAGE:

Implement and fund strategies such as teacher fellowships and loan forgiveness programs to encourage and attract talented students to enter into the field of education.* (Tri-county Position) (MDC)

Allow school districts to re-employ teachers, other instructional personnel and substitute teachers who are certified in a "critical shortage" field after one month of retirement without penalty to the employee's pension. (Tri-county Position)

SAFETY:

Increase penalties for firing a gun within 1,000 feet of a school.

Establish penalties for the unsupervised possession of a firearm by a minor.

Support legislation that provides exemption from public records requirements for personal information of a witness to a murder.

FACILITIES:

Modify the utilization factor for K-8 centers as follows: 100% of FISH for the elementary school student stations, and 95% for the middle school student stations.

Provide school districts flexibility to use the Florida Building Code in lieu of the State Required Education Facilities (SREF).

Require local government agencies to consult with the local school district when considering a variance for educational use.

Exempt school districts from paying ad valorem tax for leased properties similar to charter schools.

WORKFORCE DEVELOPMENT:

Support legislation that attempts to strengthen the role of technical centers in the development of a skilled workforce.

Include representatives from the secondary schools' career and technical education programs in the state's Articulation Coordinating Committee.

VIRTUAL EDUCATION:

Modify the requirement to offer two instead of three different virtual offerings to students in every grade level.

Eliminate the requirement for a student to have attended a public school in the state the prior year to be enrolled and reported by the school district for funding of virtual programs.

Modify the current virtual requirement of 1 credit to ½ credit for graduation.

Amend F.S. 1002.45(1)(b)(b) and eliminate the "written" notification requirement to parents regarding open enrollment in virtual programs.

CIVIC ENGAGEMENT:

Amend F.S. 97.041 to allow citizens who will be 18 years old by the time of the November general election to vote in the Florida Primary Elections.

*Denotes priority issue

Tri-county Position – supported by Miami-Dade, Broward and Palm Beach county school districts
MDC- supported by Miami Dade College

POLICY STATEMENTS:

Funding

Fully fund the class size reduction requirement while providing increases to the BSA and other components of the FEFP.

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.

Oppose the imposition of unfunded, state-mandated expenditures.

Support maximum flexibility in the use of categorical funds and all funds appropriated.

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 compression of the Discretionary Millage.

Support equivalent supplemental funding for the participation and the attainment of a diploma for Advanced Placement, Cambridge (AICE), and International Baccalaureate programs.

Oppose legislation that increases the sovereign immunity liability limits on governmental agencies.

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

Allow school districts to locally establish contract provisions inclusive of cost structures with postsecondary institutions related to the delivery of dual enrollment.

Increase ESE per pupil funding to account for both student growth and inflationary cost particularly in level 254 and 255 to provide early identification and intervention services for students with autism.

Support grant funding to create new and innovative programs and academies.

Modify the penalty for non-compliance with the constitutional class size requirement to be based on the school-wide average for *all* public schools.

Fully fund the extension of the school year by 25 instructional days for the lowest-performing elementary schools in lieu of extending the school day.

Support funding to offer an extended school year beyond 180 days for all students.

Maintain the current required employers' contribution rate to the Florida Retirement System by absorbing any planned increase in local employer's contribution.

Capital Funding

Provide adequate school construction funding to support new and existing facilities, technology, maintenance, land acquisition and class size reduction needs through the establishment of long-term, stable and recurring revenue sources to fulfill the state's educational facility needs.

Fully fund the Public Education Capital Outlay Program that involves construction and maintenance programs for public school districts and ensure that school districts receive their fair share.

Oppose 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 fees unless replaced with another revenue source.

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.

Support capital funding for charter schools that:

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

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.

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.

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 related penalties assessed on charter schools.

Choice

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

Oppose all publicly funded programs that lack equitable and sufficient accountability measures.

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

Academics

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

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

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

Support amending F.S. 1019.534 and 1019.535 adding the attainment of the Advanced Placement Capstone diploma as one of the eligibility requirements for Florida Bright Futures Scholarship Program.

Ensure charter and private schools receiving public monies adhere to the same teacher certification, student placement, and progression policies to ensure compliance with federal and state accountability requirements.

Student Safety/Wellness

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

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.

Ensure any casino authorized in Florida is at least 1,000 feet from a school or land designated for school purpose.

Support legislation that precludes a child victim or witness to a crime be subjected to a discovery deposition in any criminal court proceeding.

Support telemedicine legislation that facilitates effective and efficient use of technology to provide health services to schools minimizing the length of time students are out of school due to illness.

*Denotes priority issue

Tri-county Position – supported by Miami-Dade, Broward and Palm Beach county school districts

MIAMI-DADE COUNTY PUBLIC SCHOOLS

2017 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 115th 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 spending from budget cuts under sequestration reduction or related budget balancing negotiations, and at a minimum, increase funding to meet increased costs due to inflation, increased number of students, and critical unmet needs.

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), and enact the IDEA Full Funding Act.

Increase federal entitlement funding to school districts through Title I appropriations for disadvantaged students, Title II for improving teacher/principal training and recruiting, and Title III for English Language Learners (ELLs).

Oppose formula changes that dilute funding for high-need public schools including public portability or private school choice programs that lack the same level of academic and fiscal accountability by which local school districts are governed or that public school students must adhere.

ELEMENTARY AND SECONDARY EDUCATION ACT (EVERY STUDENT SUCCEEDS ACT)

Monitor the impacts of the reauthorized Elementary and Secondary Education Act (Every Student Succeeds Act 2015), and support legislative or regulatory modifications that provide adequate flexibility, guidance and support for local implementation and measures of progress for students and schools.

EARLY CHILDHOOD EDUCATION

Support the reauthorization and expansion of Early Head Start/Head Start programs that provides increased funding and appropriate early education standards 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 legislation that encourages states to develop and expand effective, innovative preschool 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 as they address the increased demand for immigrant education and integration programs by supporting the Refugee and Entrant Assistance Programs under the Targeted Assistance and Immigrant Education allocation serving foreign-born students and their families.

Support increased funding for school districts during periods of immigration influx and waiver of the award ceiling for high-impact communities, and ensure that later-arriving children of refugees are accounted for in whatever funding formula is used, without imposing a requirement of individualized documentation on school districts.

Support federal funding directly to school districts to address the burdensome costs of serving the needs of unaccompanied children arriving at our schools and to ensure districts' operational readiness.

Support provisions of a comprehensive immigration bill that supports English language literacy, and technical training as well as the DREAM Act or similar legislation that would provide immigration relief to a select group of students who grew up in the United States, have good moral character, and are enlisted in the military or pursuing a college education.

SCHOOL NUTRITION

Support the reauthorization of the Healthy Hunger Free Kids Act that:

- Provides program funds to support the costs of food service employees receiving training and professional development;
- Reduces costly and onerous mandates on school districts;
- Avoids new limits on the number of eligible participants, including higher thresholds for community eligibility, verification burdens, or limits on the frequency of applications; and
- Increases the federal commodity food allocation for school meal programs to support healthy eating options for students and off-set higher costs of purchased foods for districts.

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.

Extend the federal tax deduction (Section 179d) to encourage energy efficient building renovations.

STUDENT PRIVACY

Support reauthorization of the Family Educational Rights and Privacy Act (FERPA) in a manner that respects student privacy rights without burdensome administrative duties to local school districts, including cumbersome administrative or legal requirements, or opt-out provisions that would jeopardize the role of educational research.

TECHNOLOGY IN SCHOOLS

Support increased resources with local flexibility 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.

Support modifying FCC regulations to provide E-rate funding to school districts, not individual schools, to use based on needs as determined by the districts.

Redress disproportionate impacts of 2014 E-Rate Modernization Orders on high-poverty schools and large districts, including higher local contributions from the most-impooverished schools (Category Two services) and the budget impact of fully phasing down large-district legacy systems by 2019 (Category One services).

WORKFORCE PREPARATION

Support increased funding to meet the demands for workforce skills development under the Workforce Innovation and Opportunity Act (WIOA), the Carl T. Perkins Career and Technical Education Improvement Act, and related legislation or initiatives, including programs that impact 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).

Delay or exempt school districts from the implementation of the excise tax currently scheduled to become effective in 2020 under the Affordable Care Act, commonly known as the Cadillac Tax.

PERSONNEL

Implement and fund strategies such as teacher fellowships and loan forgiveness programs to encourage and attract talented students to enter into the field of education.

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

STUDENT SAFETY

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.

Support federal funding to local law enforcement and school districts to ensure that schools have well-trained and equipped police personnel to protect children while in schools.

Increase funding and need-based grants that foster safe, healthy, supportive, and drug-free environments, so as to implement and expand interventions that focus on reducing disruptive and aggressive behaviors and strengthen students' emotional and behavioral competencies.

Support juvenile justice reforms that strengthen educational outcomes.

Provide supplemental funding to create community-based network that develops, coordinates and provides quality education, parental training, health care, housing, youth development programs, and employment opportunities to ensure safe neighborhoods for children and their families.