

Office of Superintendent of Schools  
Board Meeting of September 6, 2023

August 23, 2023

Office of Intergovernmental Affairs, Family, and Community Engagement  
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Officer

**SUBJECT: ADOPTION OF PROPOSED 2024 STATE AND FEDERAL  
LEGISLATIVE PROGRAMS**

**COMMITTEE: FISCAL ACCOUNTABILITY & GOVERNMENT RELATIONS**

**LINK TO STRATEGIC  
PLAN: INFORMED, ENGAGED, AND EMPOWERED STAKEHOLDERS**

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 2024 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 is based on issues raised by Board Members throughout the year, as well as by the solicitation of proposals from stakeholders including District staff, municipal and county governments, and employee and citizen groups. The proposed 2024 State Legislative Program and the 2024 Federal Legislative Program have been streamlined to include priority action items and policy items that provide direction to the Board's legislative team, which is comprised of staff and legislative consultants.

The recommended priorities address academic enhancements, funding, capital funding accountability and assessment reform, governance, teachers and personnel, and school and student safety. The proposed 2024 State Legislative Program is organized in three sections: Priorities; Additional Issues; and Policy Statements. As 2024 is an election year, the state legislative session is scheduled to commence on Tuesday, January 9, 2024, and conclude on Friday, March 8, 2024. The only must pass issue for the Florida Legislature is the state's budget for 2024-2025.

At the federal level, the 118th United States Congress will begin its second congressional session on January 3, 2024. The proposed 2024 Federal Legislative Program continues to urge Congress to protect and increase the federal investment in public education, public education infrastructure, including energy efficiency, safety, connectivity, and early childhood and workforce education, as well as continued funding necessary to address increased operational costs associated with the impacts of federal immigration policy, and fully fund the cost of implementing the Elementary and Secondary Education Act (ESEA).

**E-202**

It is anticipated and understood that both the proposed State and Federal Legislative programs may be amended by the School Board in the coming months and potentially throughout the sessions to address evolving issues, policy positions, and/or emerging priorities. Staff will provide the Board with regular updates regarding legislative policy issues and the progress of its priorities. Staff, as well as our legislative consultants stand ready to assist the Board in coordinating meetings with legislators and their staff, executive office or administration officials, and/or visits to Tallahassee or Washington, DC.

**RECOMMENDED:**

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

1. adopt the proposed 2024 State and Federal Legislative programs; and
2. authorize the Superintendent to use District resources and to advocate for the best interest of the District on issues at the state and federal levels that may have academic, fiscal, local control, and/or governance impact on operations of Miami-Dade County Public Schools, but does not have major policy implications, provided such issues are reported to the Board.



**MIAMI-DADE COUNTY PUBLIC SCHOOLS  
2024 STATE LEGISLATIVE PROGRAM**



**MISSION/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.*

**2024 LEGISLATIVE PRIORITIES**

**ACADEMIC ENHANCEMENTS**

Enhance Florida’s commitment to Early Childhood Education:

- Expand funding for the Voluntary Prekindergarten (VPK) Education Program sufficient to cover the cost of a full-day Pre-Kindergarten Program.
- Expand VPK to include program options for three-year-old students.

Expand education programming for young adult ESE high school students transitioning out of the K-12 setting by providing tuition exemption for workforce pathways operated by school district career and technical education programs.

**FUNDING**

Increase the state’s investment in K-12 education by increasing the Base Student Allocation (BSA) commensurate with the rate of inflation and cost-of-living increases, but no less than 5 percent new funding, and maintain the full calculation of the Required Local Effort (RLE).

Expand cost factors within the FEFP beyond the Comparative Wage Factor to include factors which disproportionately impact high-cost counties such as housing, transportation, health, and property insurance costs, which ultimately raise an educational institution’s operational costs.

Eliminate compression within the FEFP formula.

Ensure that the full cost of increases expected for Family Empowerment Scholarships (FES) is accounted for during the FY 2024-25 budget development and that the FTE associated with that projection remains transparent.

Maintain the Education Enrollment Stabilization Program in an amount necessary to prevent proration as a result of unanticipated enrollment increases (FES, immigration, natural disasters, demographic shifts).

Increase the Safe Schools Categorical allocation by at least \$100 million to narrow the funding gap associated with the mandate to staff one “safe school officer” per school and ensure sustainable funding for school districts.

Increase the mental health allocation to increase services to students and facilitate the hiring of additional school counselors, social workers, and/or psychologists in order to decrease student to counselor ratios.

Increase per pupil funding for all students with disabilities to account for both student population growth and inflationary costs related to services/programs.

Provide funding for Dual Enrollment courses taken beyond the school day, above the 1.0 FTE or 25 hours/week.

## **CAPITAL FUNDING**

When distributing capital outlay funds to charter schools, the total discretionary millage revenue available for distribution shall be reduced by the school district's annual debt service obligation incurred as of June 30 of each prior fiscal year.

Support funding allocations to assist school districts in implementing sustainability measures to improve operational efficiency, including the use of alternative energy sources such as solar, the acquisition of electric buses and fleet vehicles, and necessary infrastructure and technology upgrades to support their use.

## **ACCOUNTABILITY AND ASSESSMENT REFORM**

Continue to refine the Florida Assessment of Student Thinking (FAST) progress monitoring system to ensure equity and fairness in the application of State Accountability.

Provide sufficient funding to support efficient implementation of the FAST assessment at the school district level.

Remove the requirement for the State Board of Education to automatically annually adjust the school grading scale.

Maintain choice and flexibility to provide maximum mechanisms for students to achieve concordance for graduation purposes (PERT, ACT, etc.).

## **GOVERNANCE**

Support constitutionally elected local school boards and elected or appointed superintendents' authority to supervise all public schools.

Oppose any legislation that reduces school board authority over charter schools.

Support the streamlining of statutory and State Administrative Code requirements in order to enhance the efficiency of public school operations.

Remove restrictions on the disposal of surplus school board property.

Amend F.S. 1001.372 to allow school boards to omit one regular monthly meeting during the summer period (June, July, or August).

## **TEACHERS/PERSONNEL**

Continue to invest in teacher and instructional personnel compensation improvement by providing sufficient funding to the Classroom Teacher and Other Instructional Personnel Increase to ensure salary increases beyond the prior fiscal year amount.

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

Amend the teacher apprenticeship program to allow eligibility based on an Associate's degree or 60 credit hours from an accredited higher education institution, a GPA of 2.5 consistent with other pathway-to-certification programs, and remove the subject-area test as an eligibility requirement for a temporary apprenticeship certificate.

Provide supplemental funding for secondary teaching academies and education career pathway programs.

Provide incentives and/or funding to facilitate the development of workforce housing specifically for public school personnel.

Allow unused school board facility or property to be redeveloped by the district for its workforce housing without requiring multi-party governance.

Amend F.S. 1012.01 (2) to include Pre-K staff in the definition of "Instructional Personnel."

### **SCHOOL /STUDENT SAFETY/WELLNESS**

Provide increased funding for safety infrastructure needs, inclusive of school campus hardening, lightning detection, and alert systems.

Provide funding to school districts to upgrade and strengthen cybersecurity controls.

Provide funding to support at least 1 nurse or emergency medical technician at each school.

Amend F.S. 1012.584 to provide the necessary mental health training to those practitioners who care for students dealing with hardships and/or affected by a natural disaster.

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### **ADDITIONAL ISSUES**

#### **FUNDING**

Fund programs taken by students beyond the 1.0 FTE cap or 25 hours a week such as virtual classes outside the traditional school day and year.

Implement a moratorium on new programs or requirements without the allocation of new and adequate funding.

Fully fund Class Size Reduction.

Provide funding to expand the annual Cuban-American Studies Institute established by Miami-Dade County Public Schools and implemented in partnership with Florida International University.

Secure supplemental funding for New World School of the Arts and Miami Arts Studio 6-12 @ Zelda Glazer.

Secure supplemental funding for the establishment of community hubs to deliver educational and family support, resources, and services in Miami-Dade County.

Secure supplemental funding to expand Baker Aviation facilities and/or programming.

Provide for an optional summer school program for all students.

Ensure PK-12 school districts are included in the allocation of any new sources of revenue.

Provide sufficient funding necessary to cover increased cost to school districts for annual consumable materials associated with state-adopted texts.

Support increased funding to meet the demands for workforce skills development programs.

### **TEACHER/PERSONNEL SHORTAGE**

Waive or shorten re-employment limitations for retirees to address labor shortage issues.

Restore the Cost-of-Living Adjustment (COLA) that was suspended from the Florida Retirement System (FRS) defined benefit calculation in 2011.

Permit local districts to design a differentiated pay plan for teachers, inclusive of a performance pay measure, based on local needs.

### **ACCOUNTABILITY AND ASSESSMENT REFORM**

Provide flexibility within the State's school accountability system to hold districts harmless for students who chose to attend voucher programs and then return to the district with minimal educational preparation.

Require all publicly funded educational delivery methods to adhere to the same regulatory and funding standards.

Ensure that the General Equivalency Diploma (GED) test is offered in Haitian Creole.

For VPK providers not achieving the minimum program assessment composite score (Classroom Assessment Scoring System, or CLASS), amend F.S. 1002.68(5)(a) to allow a support or improvement plan option to be in place for at least one year prior to termination.

Realign the responsibility to administer the Civic Literacy Assessment Requirement established during the 2020-2021 Legislative Session from school districts to state colleges/universities.

Ensure that results from the FAST progress monitoring system are meaningful and can be exported to other student information systems within one week after testing window has closed.

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.

Define goals for ELL and Exceptional Student Education (ESE) subgroups based on achieving learning gains on state assessments as opposed to achieving proficiency.

### **SCHOOL /STUDENT SAFETY**

Clarify F.S. 316.173(d) to authorize certified school board police agencies to enforce violations of F.S. 316.172(1)(a) and (b) which are captured by school bus infraction-detection systems.

Support full funding for required water safety and swimming instruction in public schools.

Amend the Marjory Stoneman Douglas Safety Act to facilitate the requirement of charter schools reporting their SESIR incident data independently of school districts.

## **FACILITIES**

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

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## **POLICY STATEMENTS**

### **FUNDING**

Oppose the imposition of unfunded, state-mandated expenditures.

Oppose any further compression of the Discretionary Millage.

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

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

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

Support funding for Adults with Disabilities.

Provide school districts with greater flexibility of its use of Title I funds by separating the indirect cost from the 10 percent allowable administrative set-aside and increasing the allowable educational services set-aside to 10 percent.

Ensure Districts that receive students from legal immigration or disaster-impacted areas are provided supplemental funding as may be necessary to support all student services.

Restore school districts' discretionary lottery to pre-recessionary levels.

Support funding to enhance community resources and postsecondary opportunities, such as community-based life skills and transitional programs, for young adults with disabilities, including those on the Autism spectrum, who are transitioning out of the K-12 environment.

### **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.

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

### **GOVERNANCE**

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

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.

Oppose legislation that negatively impacts the salaries of school board members.

Restore school board authority over travel providing greater flexibility to carry out its duties.

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

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

Amend state statutes to clarify that meeting with legislators to advocate for the Board's legislative priorities is not a violation of the Sunshine.

## **ACADEMICS**

Ensure that state-defined principles of individual freedom, if applicable to K-12 curriculum, are applied equally to all special topics such as Women's history, Hispanic heritage, Holocaust education, and character education.

Provide a one-year lead time on the implementation of new state academic requirements for school districts.

Support adding the attainment of the Advanced Placement Capstone diploma as one of the eligibility requirements for Florida Bright Futures Scholarship Program.

Support restoration of the "textbook" supplement to the Bright Futures Scholarship Program.

## **STUDENT SAFETY/WELLNESS**

Support legislation that increases penalties for firing a gun within 1,000 feet of a school and that establishes penalties for the unsupervised possession of a firearm by a minor.

Support legislation and state funding to increase awareness of opioid drug use and its impact.

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.

Support legislation to ensure that the sale of low-THC edibles is precluded within 1,000 feet of a school.

**MIAMI-DADE COUNTY PUBLIC SCHOOLS  
2024 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.*

**FEDERAL EDUCATION RESOURCES**

Support federal Maintenance of Equity requirements, increase funding and flexibility to meet impacts of immigration, inflation, and critical unmet needs, and exempt K-12 and workforce education from any budget cuts.\*

Protect and increase the federal investment in public education to:

- Fully fund the implementation of the Elementary and Secondary Education Act (ESEA) and avoid provisions that would divert substantial federal resources into competitive grant programs;
- Increase the federal investment in the Individuals with Disabilities Education Act (IDEA) to the guaranteed level of 40% of the costs to meet special education mandates and fully fund the government's promised share of ESEA; and
- Increase federal entitlement funding to school districts through Title I appropriations for disadvantaged students, Title II for supporting effective instruction, Title III for supplementary instructional support for English Language Learners (ELLs), Title IV for student support and academic enhancement, and Title IX for education for homeless children and youth.\*

Oppose formula changes or the creation of newly funded programs that dilute or divert funding from high-need public schools, including public portability or any other private school choice programs that lack the same level of academic and fiscal accountability by which local school districts are governed.\*

Support legislation that appropriates supplemental funding for school security and student safety to provide for:

- School district and local law enforcement partnerships that ensure that schools have well-trained and equipped police personnel to protect children while in schools;
- School infrastructure and campus hardening needs that improve school health and safety such as alert devices, security cameras, and lightning detection; and
- Mental health services for students with training of teachers and support personnel such as psychologists, school social workers, counselors, school nurses, and/or emergency medical personnel.\*

Support increased funding to provide opportunities to expand public community schools and school magnet choices to students and parents, and support current magnet choice programs in school districts, including funding for transportation.

Support funding for the expansion of Junior Reserve Officer's Training Corps (JROTC) programs.

Support funding from the federal government to enhance community resources and postsecondary opportunities, such as community-based life skills and transitional programs, for young adults with disabilities, including those on the Autism spectrum, who are transitioning out of the K-12 environment.\*

### **ELEMENTARY AND SECONDARY EDUCATION ACT (EVERY STUDENT SUCCEEDS ACT)**

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

Protect the authority of local educational agencies (LEAs) under ESSA to exercise local control over the use of allocated entitlement funding, including Title I, without further federal or state restrictions.\*

Support elimination of or alternatives to the use of State Per Pupil Expenditure (SPPE) in current or new federal allocation formulas, based on analysis by National Center for Education Statistics (NCES 2019-016) showing that Florida has the lowest U.S. Title I allocations per formula-eligible child in multiple grant categories.

Revise ESEA Section 3114(d) related to Title III distribution formula to allocate funds based on the number of immigrant students and not limit those funds to entities that have experienced “significant” increases in immigrant students.

### **EARLY CHILDHOOD EDUCATION**

Support the reauthorization and expansion of Early Head Start/Head Start programs that provide 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 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 and the continuing demand for immigrant education and integration programs by providing direct funding to highly impacted school districts.\*

Support the Refugee and Entrant Assistance Programs under the Targeted Assistance and Immigrant Education allocation serving foreign-born students and their families.

Oppose formula changes that would dilute Targeted Assistance for counties with large refugee populations or limit funding allocations by excluding any legal refugees.\*

Support future increases in funding for school districts during periods of immigration influx and a waiver of the award ceiling for high-impact communities. 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 schools 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
- Supports healthier eating options, such as non-dairy options, for students with increased federal commodity food allocation for school meal programs to off-set higher costs of purchased foods for districts.

### ***MEDICAID REIMBURSEMENT***

Oppose policy revisions to Medicaid that would cap federal support without regard to the actual number of eligible children or would limit the increase of health service costs below the medical inflation rate.\*

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

### ***SCHOOL CONSTRUCTION/RENOVATION AND SUSTAINABILITY***

Support equitable and flexible public school construction and modernization, including capital costs to improve accessibility, ventilation, school safety, energy efficiency, and digital connectivity within any national approach to public infrastructure investment.\*

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.

Support funding allocations to assist school districts in implementing sustainability measures including use of alternative energy sources such as solar, and the acquisition of electric buses and fleet vehicles, as well as necessary infrastructure to support their use.

## ***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 administrative or legal requirements, or opt-out provisions that would jeopardize the role of educational research.

## ***TECHNOLOGY***

Support increased resources with local flexibility and expand eligible expenditures to include educational linkage beyond the school campus, including student homes, for the Universal Service Fund Program (E-Rate) to provide schools, libraries, and students with affordable access to state- of-the-art networking and telecommunications technology.\*

Support Open Internet legislation, policies and Federal Communications Commission (FCC) regulations to ensure that public educational uses do not have a lower priority than paid commercial services.

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.

## ***WORKFORCE PREPARATION***

Support increased funding to meet the demands for workforce skills development under the Workforce Innovation and Opportunity Act (WIOA), the Carl D. Perkins Career and Technical Education Act, and related legislation or initiatives, including programs that impact low-literacy and disadvantaged populations inclusive of students with disabilities.

Preserve and amplify 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***

Implement and fund strategies such as teacher fellowships, loan forgiveness programs with simplified eligibility and compliance requirements, and other financial incentives 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.\*

Enhance programs, funding, and incentives for the development of affordable workforce housing for public school employees.\*

Eliminate Internal Revenue Service restrictions which limit the reemployment of school district retirees.

## **STUDENT SAFETY**

Support block grant funding for the employment of full-time security officers in all public schools.

Support funding and legislation that establishes and expands programs to support increased detection and monitoring of fentanyl and other synthetic opioids.

Support legislation that prohibits the sale of e-cigarettes in misleading forms such as pens and USBs.

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

Support funding for the development of an awareness campaign to educate students and parents on the danger and signs of human trafficking, information concerning approaches used by traffickers, warning signs of trafficking, and behavior that should be reported.

Increase funding for programs that foster safe, healthy, and supportive environments to expand interventions to reduce disruptive behaviors, redress stresses of isolation and depression, and strengthen students' social, emotional, and behavioral competencies.\*

Support juvenile justice reforms that strengthen educational outcomes.

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

Support legislation or regulations that provide for enhanced scrutiny of foreign student exchange organizers and enhanced screening of U.S. host families, including fingerprint-based criminal background checks.

## **CYBERSECURITY**

Establish a collaborative mechanism to coordinate cybersecurity efforts between federal agencies and with the K-12 community to develop, fund, and share best practices and guidelines to protect student, parent, and employee information.\*

Provide funding to school districts to strengthen cybersecurity.