

Board Meeting: August 12, 2009  
(Adopted)



SCHOOL DISTRICT OF PALM BEACH COUNTY  
*BOARD AGENDA ITEM SUMMARY*

CONSIDER FEDERAL LEGISLATIVE PROPOSALS FOR 2009-2010

I recommend that the School Board adopt the list of federal legislative proposals for the 2009 and 2010 Sessions of the 111<sup>th</sup> Congress and authorize School Board Members and designated district staff to work with other school districts, representatives of appropriate state and national organizations, and members of the Florida Congressional Delegation to secure legislative approval.

- The attached proposals are based on actions taken or not taken during the 2008 Session of the 110<sup>th</sup> Congress and 2009 Session of the 111<sup>th</sup> Congress as of July 1, 2009.
- Emphasis is placed to bring funding back to 2006 levels plus essential increases for programs such as Perkins Career/Vocational Education, funding of the Individuals with Disabilities Education Act (IDEA), the Elementary and Secondary Education Act (ESEA/No Child Left Behind), and reauthorization of ESEA.
- These recommendations are consistent with the positions expressed by the Florida School Boards Association, the National School Boards Association, American Association of School Administrators, the Council of Urban Boards of Education, and the Council of Great City Schools. District staff will work collaboratively with these organizations on these recommendations.
- These recommendations address issues that are of paramount importance for Palm Beach County. The School Board and staff may identify additional issues for which support is needed, when that occurs a recommendation will be brought to the School Board for formal action while Congress is still in session.
- District staff will work with the School Board's contracted legislative liaisons that include Schoolhouse Consulting Group, Inc. (Vernon Pickup-Crawford) and Alcalde and Fay (former PB County Congressman Skip Bafalis and staff) for federal approval of local priorities.

BOARD GOALS: 1,2,3,4,5,6,7,8

LEGAL SIGN-OFF: N/A

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FINANCIAL IMPACT - There is no financial impact to the General Fund budget

CONSENT AGENDA ITEM

**SCHOOL BOARD OF PALM BEACH COUNTY, FLORIDA  
FEDERAL LEGISLATIVE PROGRAM  
111<sup>TH</sup> CONGRESS - 2009 and 2010 SESSIONS**

**Priorities**

For the 2009 and 2010 Sessions of the 111<sup>th</sup> Congress, the School Board of Palm Beach County makes the following requests of the Congress and Executive Offices:

**General Funding Policy**

The School Board of Palm Beach County appreciates the efforts by the Palm Beach Delegation to restore cuts made to the 2006 budget and provide modest increases made for all of Prek-12 education, particularly ESEA, IDEA, Perkins Vocational Education and Safe Schools. The 2009 Session of the 111<sup>th</sup> Congress must not only restore all cuts, but return to its prior stated intent of providing \$16 Billion increase for "No Child Left Behind" and to bring the federal share of IDEA to 40% of total cost. The 2010 Session must address continuation of 2009 ARRA "Stimulus" funding if federal requirements/expectations tied to stimulus dollars are continued. Not to do so constitutes an unfunded mandate that places an unfair and undue burden on state and local education agencies. At least a \$1 billion increase for Title I is needed in 2010.

**2001 Elementary and Secondary Education Act (NCLB—"No Child Left Behind") – Reauthorization**

1. Statutes and rules (Guidance) implementing provisions of the Elementary and Secondary Education Act (HR1/2001, ("No Child Left Behind"), should carry out legislative intent and not conflict with existing states' laws concerning performance expectations of students, educators and schools. Recommendations include:
  - A. Allow districts to provide Supplemental Educational Services (SES) prior to offering Choice with Transportation.
  - B. Allow districts to provide SES, without requisite, even when the district does not meet AYP designation.
  - C. Allow districts to rank order students prior to assigning to a SES provider rather than after enrollment.
  - D. Allow districts to use SES set aside monies for administrative costs related to the set aside, i.e. postage, overtime, printing, staff to monitor program(s).
  - E. Private SES providers should be required to hire highly qualified teachers just as public schools are required.
  - F. Parent notification requirements are out of control both for CHOICE and SES – too much micro-management from State and State Board of Education.
  - G. Students need to be evaluated by more than one instrument.
  - H. Only students in failing subgroup should be allowed Choice with Transportation.
  - I. Children should not count in more than one subgroup.
  - J. Guidance from state and feds on Corrective Action and Restructuring is lacking.
  - K. Consequences in accountability portion of NCLB are too negative. The strategies should support the school and district and should not be counterproductive to the mission.
  - L. School sanctioning should be modified to affect only the specific program/s within a school, first, before requiring restructuring or privatization of the entire school.
  - M. Provide financial and training resources in development and implementation of model "Response to Intervention" (RTI) programs in order to bolster exceptional student instruction for all students and decrease referrals to ESE and working toward mandating each state adopt a model within the next three years.
  - N. Develop national common core curricular standards and assessment that evenly measure the annual learning gains of all students for true national comparison and progress in a global economy (e.g., common core standards measured by NAEP in all schools).

2. The current dual system of Florida's NCLB Adequately Yearly Progress (AYP) Plan and the Florida A+ Accountability Plan should be replaced with a single differentiated accountability plan for all students and schools that includes common standards and assessment of those standards. Accordingly, conflicting federal statutes and US Department of Education Guidance should be modified to provide such a unified plan. Included should be the ability to measure all students and all subgroups, particularly special education, limited English proficiency and alternative (at risk) education, on learning gains made from entry into the program at the beginning of a school year to the exit or end of the year, instead of a static mid-year exam (snapshot).
3. NCLB CONTINUES to be an unfunded mandate. Funding should \$16 Billion as committed by the President and Congress in 2001-2002. For 2010, it should be increased by at least \$1.5 Billion (\$500 Million to make up for Congressional reduction) to meet growth and workload. Under no circumstances does the School Board accept any reduction of federal funds to balance the federal budget or reduce the federal debt.

#### Individuals with Disabilities Education Act (IDEA)

Funding should be mandatory and reflect 40% of district costs as proposed when IDEA was first adopted. For 2006, provide at least a \$2.5 Billion increase in IDEA funding (\$500 Million to make up for Congressional reduction of President's 2004 \$1.0 Billion recommendation and to move toward full 40% federal funding of IDEA). Under no circumstances doe the School Board accept any reduction of federal funds to balance the federal budget or reduce the federal debt.

#### High School Initiatives

The conflicts within NCLB should be removed before further legislation to expand high school test requirements is made. High school graduation requirements should remain the province of the states and not become federal policy unless and until NCLB is funded at the original Administration's 2001-2002 proposal of \$16.5 Billion adjusted for student growth and inflationary costs through the first five years.

#### PreKindergarten Initiative

Congress should pass H.R. 3221 that establishes the Early Learning Challenge Fund (ELCF). The ELCF is funded at \$1 billion annually from 2010 – 2017 and creates 2 new competitive state grant programs: 1) Quality Pathways grants for states to increase the number of disadvantaged children birth-through-five in high quality early learning programs, and 2) Development grants for states to develop the components of an early learning system and become eligible for a Pathways grant. Both are jointly administered by the Secretary of Education and Secretary of Health and Human Services.

ELCF funds may be used to improve credentials of providers tied to compensation, help providers meet higher standards, and implement classroom observations assessments that improve practice. The bill also establishes a national commission to review state and federal early learning standards, evaluate barriers to interagency collaboration and coordination, recommend benchmarks, conduct a national evaluation, and support a research collaborative of four federal agencies.

#### E-Rate

The Universal Service Fund should remain the funding source for E-Rate. Congress should develop a permanent fix for the government accounting issue that resulted in a slowdown in the processing of E-Rate applications in 2004.

#### Palm Beach County Projects

1. Provide \$750,000 to expand Family Literacy education to include English as a Second Language (ESL) for adults and to continue project READ for new high school immigrant students. This grant would implement a computer-software based program to enable adults to achieve their high school diploma in a shorter time than traditional adult basic or GED classes.
2. Continue funding of the successful Aggressors, Victims and Bystanders program aimed at preventing school violence and student disruption.
3. Continue funding the "Educator's Support Program" to continue local efforts to implement an effective mentoring support program for Palm Beach County's 1,000 new educators, teachers and principals, each year (\$300,000 pending).
4. Support \$500,000 for planning and implementation of a curricular program geared to meeting career education/vocational needs of at-risk, drop-out and juvenile justice system students as prevention and deterrent to street crime and gang violence (\$200,000 pending).

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