

Board Meeting: January 19, 2011



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

PRELIMINARY FEDERAL LEGISLATIVE PROPOSALS FOR 2011-12

I recommend that the School Board adopt the list of federal legislative proposals for the 2011 and 2012 Sessions of the 112th 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 2010 Session of the 111th Congress.
- Emphasis is placed to at least maintain level funding at 2010 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.
- Issues or position statements may be added as the Board deems advisable during the 112th Congress.

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
112TH CONGRESS - 2011 and 2012 SESSIONS

Priorities

General Funding Policy

Given the financial conditions facing the United States, the School Board of Palm Beach County supports holding funding of entitlement programs including the Elementary and Secondary Education Act (ESEA) Title I and Individuals with Disabilities Education Act (IDEA) at least at current year levels; the Board suggests consideration of consolidating numerous competitive programs for which districts can apply and have the discretion of using funds for one or more of the consolidated programs. The Board opposes any reduction of federal Entitlement funds to balance the federal budget or reduce the federal debt without a corresponding reduction of federal program requirements including a freeze on any and all sanctions.

2001 Elementary and Secondary Education Act – Reauthorization

ESEA enters its 4th year of extension from 2007 expiration. Recommendations originally made in 2008 continue to be pertinent. Until ESEA is reauthorized, Congress should waive and suspend all sanctions under the NCLB/AYP provisions which are impediments in the Race to the Top (RttT) grant initiatives.

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. Make ESEA/Title I more supportive and assistive and less punitive;
- B. Remove the 2014 absolute "all children will be at grade level" and return to the ESEA original focus of promoting equal educational opportunity and increase the federal investment as support in sharpening the focus on poverty, serving the total child and adhering to the principle that, given appropriate instruction and enough time, all students will achieve greater learning to the best of their abilities.
- C. Support both national common core standards and common assessment (embedded in state assessment or stand-alone) that accurately measure the progress of children and students in all states;
- D. Focus on key objectives, removing micromanagement procedures that for the past decade have conflicted with state dictates.
- E. Provide more appropriate assessment practices for students with disabilities and limited English proficiency;
- F. Require states to observe at least a 3 year period before assessment of English Language Learners (ELL) counts toward teacher or school performance so that districts are truly assessing student knowledge and skills, not their proficiency of the English language;
- G. Change "highly qualified" teacher requirements to focus on effectiveness;
- H. Provide more choices for effective school interventions (e.g., extended day or school year) than the current three options of choice, shut down, or Supplemental Education Services

(and continue to allow districts to provide SES, without requisite, even when the district does not meet AYP designation).

- I. Support development of fair and equitable assessment measures for students and teachers in non-core subjects and who serve integral roles such as the arts, career education, guidance, technology, library/media, etc.
- J. Only students in a failing subgroup should be allowed Choice with Transportation.
- K. Children should not count in more than one subgroup;
- L. School sanctioning should be modified to affect only those students/schools having consistent difficulty in meeting standards within the specific program/s within a school, first, before requiring further corrective measures.
- M. 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).
- N. 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 does 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 A) 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 and B) states agree to use the federal requirements in lieu of any state mandates.

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

No project requests are being submitted pending clarification that Congress will allow such requests in the 112th Session.

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