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SUBJECT: ADOPTION OF PROPOSED 2018 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 2018 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 personnel, employee groups, municipal and county governments, and citizen groups. The proposed 2018 State Legislative Program and the 2018 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, January 9, 2018, with interim committee meetings starting in September 2017. The proposed 2018 State Legislative Program focuses on a limited number of legislative priorities: Funding; Academics; Capital Funding; School Readiness; Charter Schools; Teacher Shortage; Safety; Facilities; Workforce Development; Virtual Education; and Policy Statements. It is recommended that the priorities focus on increasing state funding, reversing certain provisions in law created in HB 7069, and addressing equity provisions in the education funding formula.

Although the District celebrates outstanding academic and fiscal performance, policies at the federal and state levels could severely impact our ability to fund programs and practices that have resulted in remarkable student achievement. Additionally, legislative policies passed during the 2017 session in HB 7069 significantly limit the Board's ability to maintain its educational facilities and strategically allocate resources to our most academically fragile schools. Reversing those policies will be the priority during the 2018 session.

At the federal level, the 115th Congress enters its second congressional session in January 2018. As the upcoming session approaches, the District will urge the President and Congress to invest in public education and fully fund the cost of implementing the Elementary and Secondary Education Act (ESEA) thus avoiding potentially damaging reductions in education funding and services.

The proposed 2018 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 2018 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 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
2018 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.

2018 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.* (GFCSB)

Ensure that any changes to the District Cost Differential take into account cost differences integral to educational institutions' operations reflecting such costs as average teacher salaries, health insurance for employees, property insurance per FTE, housing and transportation costs per FTE.* (MDC)(GFCSB)

Mitigate any impact of the rollback rate of the Required Local Millage (RLE) on school district revenues.* (GFCSB)

Allow school districts to allocate Title I funds to eligible schools based on poverty level as well as student academic performance levels and other specific school needs, in accordance with federal law.* (GFCSB)

Extend the lifespan of the locally voted levy for operating purposes from four year to 10 years.* (GFCSB)

GOVERNANCE:

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

CAPITAL FUNDING:

Make it permissible but not required for school districts to share its Local Discretionary Capital Outlay levy revenue from traditional public schools to charter schools.* (GFCSB)

Prohibit charter operators from personal enrichment from public funds for capital.* (GFCSB)

Allocate capital funding based on physical plant/capacity need and not on a per student allocation.*

Protect taxpayers' interest by attaching a proprietary interest equal to the value of the allocation from the local discretionary capital outlay levy revenue provided to charter schools.* (GFCSB)

*Denotes priority issue

GFCSB- included in the GFCSB's legislative platform

MDC- supported by Miami Dade College

ADDITIONAL PRIORITIES

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.* (GFCSB)

Require advertising a tax increase only when the cumulative tax millage is greater than the prior levy and not simply because the ad valorem tax basis generates more proceeds. (GFCSB)

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. (GFCSB)

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.

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

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

Restore school districts discretionary lottery to recessionary levels.

Preserve funding that allows M-DCPS to assist refugee and immigrant students and their families or negatively impacts our students' ability to obtain an education in Florida.

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ACADEMICS:

Exclude Advanced Placement from accelerated options for obtaining high school credit.

Require and fund the administration of college entrance exams, SAT or ACT, during school days.

SCHOOL READINESS:

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

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

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

Require a pre- and post-assessment tool to timely assess the VPK Provider Kindergarten Readiness Rates. (GFCSB)

CHARTER SCHOOLS:

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)

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)

Support legislation that prohibits applicants with 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 the field of education.* (GFCSB)(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. (GFCSB)

Include Pre-K teachers in the list of instructional person eligible to extend the Deferred Retirement Option Program to 96 months.

SAFETY:

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

Support legislation that establishes penalties for the unsupervised possession of a firearm by a minor.

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FACILITIES:

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

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

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

WORKFORCE DEVELOPMENT:

Restore performance-based incentive funding for postsecondary CAPE Industry Credentials.

VIRTUAL EDUCATION:

Eliminate the “written” notification requirement to parents regarding open enrollment in virtual programs allowing for electronic notification to parents.

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*Denotes priority issue
GFCSB- included in the GFCSB’s legislative platform
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 further 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.

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 employers' 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.

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.

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.

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.

MIAMI-DADE COUNTY PUBLIC SCHOOLS

2018 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 second session of the 115th Congress convenes, we urge the President and Congress to reaffirm their commitment to our nation's children by investing 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 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.*

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, or 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.*

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.

*Denotes priority item

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 and the continuing 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.

Oppose formula changes that would dilute Targeted Assistance for counties with large refugee populations or limit funding allocations by excluding any legal refugees who have arrived in the U.S. in the past five years.*

Support future increases in funding for school districts during periods of immigration influx and 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 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.

Extend the Temporary Protective Status of Haitians for an additional 18 months.*

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
- Support healthy eating options for students with increased federal commodity food allocation for school meal programs to off-set higher costs of purchased foods for districts.

*Denotes priority item

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

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 Open Internet policies and Federal Communications Commission (FCC) regulations to ensure that public educational uses are not prioritized behind 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.

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).

*Denotes priority item

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.

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.*

*Denotes priority item