


MEMORANDUM

July 29, 2015

TO: The Honorable Chair and Members of The School Board of Miami-Dade County, Florida

FROM: Alberto M. Carvalho, Superintendent of Schools 

SUBJECT: FEDERAL EDUCATION BILLS AND 2016 BUDGET PROPOSALS ADVANCE

Both the House and Senate have advanced critically important bills that determine K-12 policy and annual funding. After nearly eight years of delay, both the House and Senate have passed bills to reauthorize the Elementary and Secondary Education Act of 1965 (ESEA), with substantial areas of common ground but also key differences. For FY 2016 spending, preliminary budgets indicate that the District's two largest formula allocations, Title I and IDEA, will remain intact, but are more than offset by cuts in other federal programs unless a bipartisan agreement is reached to raise sequester cap limits.

ESEA. On the long-awaited ESEA reauthorization, the Senate completed work on a bipartisan bill—the *Every Child Achieves Act of 2015*, S. 1177—that passed 81-17 on July 16th. The Senate bill passed committee in April unanimously and maintained its compromise framework by requiring a 60-vote minimum for issues deemed divisive by either party. The House passed its version of ESEA on July 8th in a close vote, 218-213, with no Democratic support and a veto threat from the White House. The bipartisan nature of the Senate bill, and widespread agreement that *No Child Left Behind Act* went too far in its reforms, may create an opportunity to reconcile the bills during conference negotiations so as to survive a presidential veto.

Both the Senate and House bills retain testing, data collection, and state accountability plans, but shift all decisions to states on tests, curricula, and accountability. The House bill includes provisions—omitted in the Senate—that drew strong criticism from various education groups including the Council of the Great City Schools, National School Boards Association, and the School Superintendents Association (AASA):

- Voucher portability would allow states to allocate Title I funding without regard to concentrated poverty, with an estimated cost to Miami-Dade County Public Schools (M-DCPS) of almost \$22 million annually (according to analysis by national advocacy groups);
- Annual spending caps would statutorily freeze school budgets, requiring annual service cuts at the local level to keep up with the 2-3% inflationary increase;
- Eliminating “maintenance of effort” ends a rule that prevents states from cutting more than 10% of their education budget and replacing state cuts with federal funding; and
- Parent opt-out provision, added during House Floor debate, allows parents to opt-out of standardized testing.

The Senate bill retains many programs that in the House were folded into block grants, and the Senate adopted an amendment that could greatly benefit Florida and M-DCPS in coming years:

- A major change in the Title I allocation formula would shift funding away from high-cost states (predominantly in the northeast) that benefit under the current formula. A compromise delays the impact for years, until Title I funding rises from \$14.5 to \$17 billion, but initial estimates suggest M-DCPS could gain as much as \$30 million annually.

The Senate also rejected an “opt-out” of testing for parents, added on the House floor. A state “opt-out” of federal accountability was defeated in both chambers.

FY 2016 budget. For 2016-2017, spending caps forced education cuts in both chambers, though a deal to raise the caps could be reached later in the year. However, the two largest programs affecting M-DCPS are not subject to cuts at this time:

- Individuals with Disabilities Education Act (IDEA) funding is projected to increase between \$100 million, (Senate) up to \$500 million, (House).
- Title I funding for the disadvantaged is projected to stay level (House) or increase up to \$125 (Senate) million.

Charter school funding is also projected to increase, by \$20-22 million in both proposals. The potential increases in Title I and IDEA are offset by cuts in other programs impacting the District:

- Title II (for teachers) is projected to be reduced from \$103 (Senate) to \$668 (House) million.
- Title III (for English Language Learners) and 21st Century Schools were reduced in the Senate by \$53 and \$117 million respectively, but level funded in the House.
- Magnet school grants were eliminated in the House, but preserved in the Senate with a \$7 million cut (the District released an *Education Alert* on this issue July 8, 2015).

Overall, the House cut the Department of Education by \$2.8 billion and eliminated 20 programs, while the Senate cut \$1.7 billion and 10 programs (from \$65.5 billion in FY 2015). These amounts are well below President Obama’s budget request, which proposed a \$3.6 billion increase in total discretionary education funding, including increases of \$1 billion for Title I, \$120 million for Title II, and \$50 million for Title III.

If you have any questions, please contact Ms. Iraida R. Mendez-Cartaya, Associate Superintendent, Office of Intergovernmental Affairs, Grants Administration, and Community Services, at 305 995-1497.

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cc: School Board Attorney
Superintendent’s Cabinet