



# 2001 Legislative Agenda

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Developed cooperatively by AESA members

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### ***Mission:***

The mission of AESA is to serve as the national voice for educational service agencies, as we support the learning, technical assistance, advocacy, and research needs of our members. AESA's strategic initiative states, "we will strengthen our ability to affect education policy through effective governmental relations activities." Participants in this part of our governmental relations activity believe that the positions taken by AESA should reflect and support the role of the federal government in education using the following set of beliefs.

### ***Beliefs that Guide the Partnership's Governmental Relations Activities***

AESA believes that ESAs provide (1) leadership to help all students reach high standards of performance and (2) cost-efficient regional services. Therefore, AESA actively promotes and supports the following premises.

- Education is one of the most important roles of government. Nothing will provide a greater impact on the future of this country since we are developing the minds of future leaders and citizenry.
- Accountability is an important part of school improvement.
- The role of ESAs must be identified in each piece of federal law, so they can effectively carry out the regional leadership role in ensuring equity and access to programs and services for all students and school districts. ESAs must be eligible to receive funding from all ESEA funding streams in order to carry out federal, state and local education initiatives
- The highest priority of the federal role in education should be to fund fully IDEA and significantly increase Title I funding before new programs are added. Full funding of IDEA must be protected by non supplant language.
- Unfunded federal mandates are the greatest problem for ESAs and LEAs. AESA supports the current Unfunded Mandate Act of 1995, but this legislation must be consistently enforced. Federal education programs in existence prior to passage of the Unfunded Mandates Act of 1995, which were left out of the law, should be included in it.
- AESA believes Congress should require states to implement federal rules and regulations, not state variations of the federal law, which run counter to the

law or limit local flexibility. States should be required to identify where they have added regulations to the federal regulations for every program. Where states add to the federal regulations, school districts should be permitted to challenge those regulations to the U.S. Department of Education and receive timely decisions regarding the appropriateness of the state decisions.

- The U.S. Department of Education should be maintained as an executive department and its role should be examined regularly to ensure its effectiveness.
- The U.S. Department of Education should provide national leadership for states, educational service agencies, and local districts in the following ways:
  - promoting education for all learners;
  - focusing on student achievement and promoting successful models of teaching and learning;
  - establishing best practices in education based on successful models;
  - identifying new, innovative models for education;
  - leading, collecting and disseminating research based on successful educational practices.
- Rules and regulations of the Department of Education and other agencies affecting ESAs should be monitored and influenced.

### ***Block Grants***

Some members of Congress support moving from project-specific grants to federal block grants. This move away from funding program-specific grants has a negative impact on education. Historically, when block grants have been implemented, the sum of the block grant has been less than the total for the program-specific grants and that sum itself has been significantly reduced over time.

AESA opposes block grants for the following reasons:

- While block grants provide more local control over programs, they tend to be used to maintain or expand existing programs, rather than encouraging innovation.
- If block grant funding is at the discretion of the governor, there is a loss of local control, thus eliminating the strength of block grants.

- Project-specific grants can serve as catalysts to support greater family involvement in the teaching and learning process. Research has demonstrated that when parents and extended family members are active participants in the education of their children, there are great benefits for the school, home and broader community.

### *Choice and Charters, Not Vouchers or Tuition Tax Credits*

Educators must acknowledge that the traditional system of public education does not work for all students. Therefore some alternatives are needed, such as charters and inter-district school choice (open enrollment). However, alternatives that exist without public oversight are unacceptable.

Vouchers, as discussed by Congress, do not provide the oversight necessary to ensure all students will have fair access to “voucher” programs. Vouchers that can be used in private schools with discriminatory admissions criteria do nothing to enhance parental choice.

The concept of a tuition tax credit, which is now becoming more popular than vouchers, is little more than a modified voucher and has many flaws. These flaws include:

- Using public funds to pay for children to attend any private school, including those with discriminatory admissions criteria;
- Providing more financial assistance to middle income, rather than poor families;
- Providing public funding to schools where there is no requirement for oversight and accountability.

The flaws in tuition tax credits could lead toward a more segregated and segmented educational system that could ultimately have a damaging impact on our democracy.

AESA will:

- Support only those alternatives to the traditional system that are accessible to all students and are not selective.
- Oppose any voucher, partial voucher or tuition tax credit proposal that amplifies the gap between the “haves” and “have nots.”
- Advocate for public oversight of all traditional and alternative models for education.



- Encourage high quality, professional development programs for all personnel including those in charter schools and other alternative programs.
- Work to focus the education debate on improving our public schools and not funneling public school resources into private schools.

### *Elementary and Secondary Education Act (ESEA)*

The reauthorization of ESEA is the highest priority of AESA during the 108<sup>th</sup> Congress. AESA strongly supports the historical purpose of ESEA, which is to “provide equal educational opportunities for disadvantaged children”. AESA recognizes that ESEA is the major source of federal funds dedicated to improving the achievement of disadvantaged children, training of the professionals serving these children and impacting the structure and organization of the school disadvantaged children attend. The following positions are critical to AESA:

- Support continuation of the current law, with no major changes in the law during this reauthorization.
- Continue focusing Title I on poverty and disadvantaged students.
- Ensure that the formula for identifying eligibility includes all children in poverty. Determine how to get more accurate information from the census counts and/or federal lunch counts.
- Expand the definition of ESAs so that every ESA is eligible for ESEA funding.
- Expand the opportunity for all ESAs to deliver and participate in all aspects of ESEA, with particular emphasis in the area of quality professional development, educational reform, alternative programs, safe and drug free schools, research, and technology.
- AESA supports where appropriate the consolidation of various programs in ESEA into fewer funding streams as long as ESAs remain eligible for funding and that ESAs are not adversely affected by the new program alignments.
- Recommend that parental and or family involvement be strongly encouraged to improve student learning and to build family interest in school and learning. However methods of family and parental involvement should be left to local districts and the school sites served by the federal programs.
- Oppose increases in the set aside for individual states.
- Congress should explore the feasibility of consolidation of all technology under one Title.

- Support safe and drug free schools on a formula basis and the ability for ESAs and other consortiums to be eligible for funding.

## *Title I*

### *School Performance*

- As a substitute for using school choice as the mechanism to improve school performance, AESA supports the notion of dramatic intervention in poor performing schools. Extra help by way of technical support to replace unsuccessful systems and practices should be targeted to those schools. ESAs can serve a vital function in this regard. AESA opposes setting aside funds to reward schools based on performance. This will divert funds away from schools that need it the most. However continuing to fund poor performing schools without expecting fundamental changes through technical assistance is unacceptable. Schools also should be recognized for sustained growth in student performance and serve as models for others.

### *ESA Role*

- Current law does not include ESAs regarding school improvement. AESA supports the following language from HR2:

`(c) OTHER PROVISIONS TO SUPPORT TEACHING AND LEARNING- Each State plan shall contain assurances that--

    (1) the State educational agency will work with other agencies, including educational service agencies or other local consortia, and institutions to provide technical assistance to local educational agencies and schools to carry out the State educational agency's responsibilities under this part, including technical assistance in providing professional development under section 1119 and technical assistance under section 1117; and  
    (2)(A) where educational service agencies exist, the State educational agency will consider providing professional development and technical assistance through such agencies; and

    (B) where educational service agencies do not exist, the State educational agency will consider providing professional development and technical assistance through other cooperative agreements such as through a consortium of local educational agencies.

### *Accountability and Testing*

- ESAs are uniquely positioned to assist LEAs in building capacity and using data driven decision-making tools for school improvement.

- AESA supports accountability and appropriate testing with the use of multiple indicators for testing. AESA does not believe in a high stakes testing.
- AESA opposes reliance on the results of a single assessment as the measure of a student, school or school district. Measuring what students know and are able to do is complex and not easily quantified. Federal policy should not require state or local accountability systems that relies on a single test to determine a student's eligibility for graduation or a schools eligibility for accreditation.
- AESA supports the development of multiyear plans for schools. All student accountability should be measured through the use of multiple indicators. These tests should be administered to the same students at regular intervals. The plans must be selected and implemented by the states for the purpose of improving instruction and targeting resources.
- AESA believes that state accountability systems for ESEA must be used as the basis of federal education accountability requirements.
- AESA believes that test results and other data summarized in averages are troublesome in very small school districts and schools. When only a few children are tested, averages are very misleading, and disaggregation of data can lead to public identification of individual students. Such public identification is a clear violation of the Federal Education Privacy Rights Act. Accountability in the 5,000 mostly rural school districts with 600 or fewer students needs careful study.
- AESA believes that a new federal accountability system should not be an additional layer over the state accountability systems. ESEA should base accountability on the same accountability systems used by the states.

### ***Intervention in Failing Schools and/or Districts***

- ESAs should be a primary resource for failing schools and/or districts. ESA's should provide services where appropriate and receive direct funding through ESEA to improve these schools. ESAs support accountability standards for both LEAs and ESAs.

### ***Paraprofessionals***

- AESA supports local and state guidelines for paraprofessionals and opposes the establishment of federal qualifications or limiting their numbers. Rather resources must be devoted to strengthening their skills.

### ***Student Discipline***

- AESA supports the alternative placement of students, including disabled students, when removed from their classes for disciplinary reasons. State and federal payments to support education in alternative settings should follow the student. ESAs and other consortiums should be eligible for funding and operating alternative sites.

### ***Early Childhood***

AESA will:

- Advocate for early childhood education funding support (age 0-8) to become part of our national educational priorities.
- Promote the establishment of exemplary/model child care centers in schools and other community sites where intergenerational nurturing contacts become the norm.
- Encourage the institutionalization of Family Resource Centers in school buildings and other appropriate educational sites, which support the teaching-learning process.
- Continue to advocate and support readiness to learn.
- Support state/local certification and oppose federal certification

### ***Rural Education Initiative***

- AESA supports the Rural Education Initiative because it allows for the pooling of small grants for the more effective use of resources.

### ***School Construction and Modernization***

- AESA supports the proposal to pay the interest on school bonds and other debt instruments through tax credits for investors.
- AESA supports increasing the amount of debt eligible for arbitrage for construction and supports extending the construction completion time from two to four years.
- AESA supports the inclusion of ESAs in school construction and modernization projects.

### *E-rate*

- AESA strongly supports maintaining Universal Service Administrative Company (USAC) and its divisions as the vehicle for governance of the E-rate.
- AESA strongly supports maintaining Federal Communications Commissions (FCC) jurisdiction of the E-rate program.
- AESA supports the E-rate going directly to the ESAs and LEAs.

### *Medicaid Changes*

- ESAs are a major cost-effective vehicle for delivering Medicaid reimbursements to eligible LEAs and the students they serve.
- AESA opposes any efforts to eliminate the Medicare reimbursement for social services that schools provide to children, and particularly opposes continuation of federal mandates to provide services that are not eligible for reimbursement.
- AESA supports the Administration's position on presumptive eligibility.
- AESA will work with HFCA to resolve rules and regulations that negatively impact ESAs and the districts they serve and to reach a common set of workable standards.

### *Mandatory Social Security*

- AESA adamantly opposes mandatory social security. The association believes that any such proposal would duplicate state required retirement systems; treat everyone unequally; and constitute double taxation without comparable benefit. Currently, the military, federal government employees, certain railroad employees, the legislature and President are exempt.

### *Pension Portability*

- AESA supports flexibility in the area of pension portability across states in order to attract, recruit and maintain high-qualified personnel.

### ***Regional Education Laboratories***

- AESA supports collaboration between the Regional Education Laboratories and ESA's
- AESA supports the Department of Education administering the Regional Education Laboratories through the Office of Educational Research and Improvement (OERI),
- Laboratories serve a useful function in promoting best practice and carrying out research.

### ***Instructional Television Fixed Service (ITFS) for ESAs, Schools and Universities.***

- AESA opposes reclaiming the ITFS Spectrum and terminating licenses. Rather we recommend that ESAs, LEAs and Universities be permitted to renegotiate current leases with Multi-channel Distribution Services (MDS) for wireless two way and digital communication.

### ***Community Based Programs***

- ESAs support community-based programs that extend learning opportunities beyond the classroom by providing formalized volunteer opportunities in collaboration with schools and agencies to better meet the needs of the community. Programs such as AmeriCorps and Service-Learning through the Corporation for National Service (CNS), offer students the opportunity for hands-on learning experiences and to develop a better understanding of their role in the community, thereby strengthening linkages between formal and informal learning.