



2003 Legislative Agenda

Prepared by the AESA Government Relations Committee
January 15-16, 2003

Adopted by the AESA Executive Council
February 20, 2003

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February 24, 2003

**Attendees of the 2003
AESAs Governmental Relations Committee Meeting**

Yvonne Billingsley*	Pinal County Schools	Florence, AZ
Craig E. Burford	Ohio Educational Service Center Association	Columbus, OH
David J. Calchera	EASTCONN Regional Educational Service Center	Hampton, CT
Cliff Carmody*	Southwest/West Central Service Cooperative	Marshall, MN
Jayne Crisp*	West Kentucky Educational Collaborative	Murray, KY
Loy Dale	Educational Service District 112	Vancouver, WA
Ronald S. Fielder*	Grant Wood Area Education Agency 10	Cedar Rapids, IA
Douglas M. Garman*	Wood County Educational Service Center	Bowling Green, OH
Tim Gavigan	CESA #1	Brookfield, WI
Daniel Guericke*	Mid-Central Education Cooperative	Platte, SD
JoAnn Henderson*	Southeast Regional Resource Center	Juneau, AK
Joe Marinelli*	Wayne/Finger Lakes BOCES	Newark, NY
William H. Mayes*	Huron Intermediate School District	Bad Axe, MI
Dale McCall*	Centennial BOCES	Greeley, CO
Bill McKinney*	Region IV Education Service Center	Houston, TX
Terry Munther*	Educational Service District 101	Spokane, WA
Dave Myers*	Educational Service Unit 18	Lincoln, NE
Edward L. Schmitt*	Multnomah Educational Service District	Portland, OR
Joan E. Schuman*	Hampshire Educational Collaborative	Northampton, MA
Virginia Z. Seccombe*	LEARN Regional Educational Service Center	Old Lyme, CT
Don Stevens*	CESA #5	Portage, WI
Sheryl L. Weinberg	Southeast Regional Resource Center	Juneau, AK

* State voting delegate.

Acknowledgments:

Special thanks to the Governmental Relations Committee co-chairs Joe Marinelli, Wayne/Finger Lakes BOCES, Newark, New York and David Calchera, EASTCONN Regional Educational Service Center, Hampton, Connecticut.

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 governmental relations initiative states, "We will strengthen our ability to affect education policy through effective governmental relations activities." The governmental relations committee believes the positions taken by the members and executive council of AESA should reflect and support the role of the federal government in education using the following set of beliefs.

Beliefs that Guide the Association's Governmental Relations Activities

AESA believes that educational service agencies (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 the federal government can fulfill. Nothing will provide a greater impact on the future of this country as developing the minds of its future citizenry and leaders.
- ESAs are closer to school districts and their respective campuses than are State Education Agencies (SEAs), regional educational laboratories and universities.
- Accountability is an important aspect in school improvement. ESAs are able to assist districts with efficient and economical operational resources to provide for accountability.
- The role of ESAs must be identified in each of the federal education laws 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 are best positioned to provide districts with technical assistance. A national definition for educational service agencies shall be included in each federal education law.
- ESAs must be eligible to receive funding from all federal education funding formulas and grants in order to carry out federal, state and local education initiatives.
- The highest federal education funding priority should be to fully support IDEA and significantly increase Title I funding before new federal education programs are considered.
- Unfunded federal mandates are one of the greatest problems for ESAs and Local Education Agencies (LEAs). AESA supports the current Unfunded Mandate Act of 1995, but this legislation must be consistently enforced.

AESA's Federal Legislative Positions for 2003

Reauthorization of the Individuals with Disabilities Education Act (IDEA)

The reauthorization of IDEA presents the members of AESA the opportunity to offer suggested changes to the 26 year-old law. ESAs are in a position to assist school districts with technical assistance, professional training and other services needed to comply with this law, as well as direct instruction of students.

AESA Supports:

- The federal definition of educational service agencies as found in No Child Left Behind. The definition needs to be included in the reauthorization of IDEA for clarification and consistency between this and other federal laws and regulations.

Issues Involving Resources and Funding

Total LEA special education costs due to increased accountability, new training requirements and professional development, student assessment and catastrophic cases have dramatically increased, but the federal share of that burden has not kept pace. Additional funds are needed to assist LEAs in meeting the increased requirements of IDEA and the NCLB requirements affecting students with disabilities.

AESA Supports:

- The federal government paying its full mandated share of the costs to implement IDEA.
- Not allowing SEAs to proportionately reduce their share of the commitment made to special education funding
- Permitting LEAs to reduce the local effort in special education by the amount of increased federal funding. These funds would be allowed to revert back to the LEA's general operating budget to support the education of all children within a school district.
- Including ESAs as recipients of funds held at the SEA level. The current formula allows for 25 percent of federal funds to remain at the state level. Since ESAs perform many, if not most, of the functions required by federal and state law, ESAs must be eligible to receive funds from this source for implementation, technical assistance, direct student services, and other permitted uses.
- Direct funding for ESAs through IDEA and other federal programs, such as the Juvenile Justice Act, to provide services. Many ESAs offer services for adjudicated youth, hospital or home-bound students, alternative schools, or other structured environments offering education in safe surroundings with trained personnel.
- Retaining the current in-state formula of 80 percent (based on child count) -- 20 percent (based on poverty).

Issues Involving Paperwork Reduction

AESA Supports:

- Streamlining the process for writing and maintaining IEPs and other required paperwork. Electronic data-base programs are proving helpful in this arduous task. Reduction of duplicative or redundant paper work should be the goal without jeopardizing the documentation necessary for each child.

Issues Involving Medicaid

AESA Supports:

- A major cost-effective vehicle for delivering Medicaid reimbursements to eligible LEAs and ESAs and the students they serve.
- Efforts to maintain Medicaid reimbursements for social services that schools provide to children.
- Legislation that clarifies the connection between IDEA and Medicaid.
- Requiring CMS to comply with section 1903 (C) of Title XIX, and opposes CMS's proposal to require LEAs to bill through third-parties to qualify for Medicaid reimbursement.
- Requiring that LEAs and ESAs are the payer of last resort. All other payees precede these agencies.

Reauthorization of the Carl D. Perkins Vocational and Technical Education Act

The reauthorization of the Perkins Vocational and Technical Educational Act presents the members of AESA the opportunity to offer suggested changes to the law. ESAs are in a position to assist school districts with technical assistance, professional training, and other services needed to comply with this law. Many ESAs around the nation also provide direct instruction to students through Career and Technical Centers or high schools. These quality programs offer rigorous academic and skill based classes to all students.

AESA Supports:

- The federal definition of educational service agencies found in No Child Left Behind. The definition needs to be included in the reauthorization of the Perkins Act for clarification and consistency between this and other federal laws and regulations. ESAs operate many career and technical programs and/or schools.

those in rural areas, where colleges and universities are not in close proximity. It is also critical for ESAs to assist LEAs in training teachers in critical needs areas, such as special education, math and science.

AESA Supports:

- The federal definition of educational service agencies as found in No Child Left Behind. The definition needs to be included in the reauthorization of HEA for clarification and consistency between this and other federal laws and regulations.
- Direct funding of Title II monies to assist with alternative certification programs for teachers and paraprofessional. ESAs must also be eligible to receive Stafford loans and Pell grants from students needing courses to obtain licenses and credentials as they work toward becoming highly qualified teachers and paraprofessionals.

Choice and Charters, Not Vouchers or Tuition Tax Credits

Alternatives within the public school system are needed, such as public charters and inter-district school choice (open enrollment). Alternative educational systems that have public oversight and conform to state and federal laws and regulations are acceptable.

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

The concept of a tuition tax credit is little more than a modified voucher using public funds to pay for children to attend any private school, including those with discriminatory admissions criteria; provides financial assistance to middle and upper income, rather than low income families; and provides public funding to schools where there is no requirement for oversight and accountability. 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 that are accessible to all students and are not selective.
- Oppose any voucher or tuition tax credit proposal that amplifies the gap between the “haves” and “have nots.”
- Advocate for public oversight of all models of education receiving public funding or tuition tax credits.
- Encourage high quality, professional development programs for all personnel, including those in charter schools and other alternative programs.