



# 2008 Federal Legislative Agenda

Prepared by the AESA Governmental Relations Committee  
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*Association of Educational Service Agencies*  
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## Attendees of the 2008 AESA Governmental Relations Committee Meeting

Linda Lee Arzoumanian	Pima County Office of Education	Tucson, AZ
Jim Baldwin	Questar III Board of Cooperative Educational Services	Castleton, NY
Thomas Barlow	Pacific Resources for Ed & Learning	Honolulu, HI
Craig Burford	Ohio Educational Service Center Association	Columbus, OH
Cliff Carmody	South West/ West Central Service Cooperative	Marshall, MN
Joseph Crozier	Great Prairie Area Education Agency	Burlington, IA
Bruce Douglas	Capitol Region Education Council	Hartford, CT
Craig Edmondson	Area Cooperative Educational Services (ACES)	North Haven, CT
Karen Ehrhorn	Pacific Resources for Ed & Learning	Honolulu, HI
Ron Fielder	Grant Wood Area Education Agency 10	Cedar Rapids, IA
Mark Finkelstein	Middlesex Regional ESC	Piscataway, NJ
Doug Garman	Wood County Educational Service Center	Bowling Green, OH
Daniel Guericke	Mid-Central Education Cooperative	Platte, SD
John Hough, Vice Chair	Regional Education Service Agency (RESA) VIII	Martinsburg, WV
Jonathan Hill	Douglas Education Service District	Roseburg, OR
Tina Hoffman	Grant Wood Area Education Agency 10	Cedar Rapids, IA
Ronnie Kincaid	Region XIV Education Service Center	Abilene, TX
James Larson	Association of Wisconsin CESAs	Arbor Vitae, WI
Linda Lowe	Southeast Education Alliance	Kenansville, NC
Dale McCall	Colorado BOCES Association	Thornton, CO
Dennis Martin	North Central Arkansas ESC	Melbourne, AR
Terry Munther, Chair	Educational Service District 101	Spokane, WA
Randy Peck	Educational Service Unit 8	Neligh, NE
Suzanne Riley	Southeast Service Cooperative	Rochester, MN
Joan Schuman	Hampshire Educational Collaborative	Northampton, MA
Jerry Shiveley	Montgomery County Intermediate Unit 23	Norristown, PA
Lee Warne	Southwest/West Central Service Cooperative	Marshall, MN
Robert Witten	Central Susquehanna Intermediate Unit 16	Lewisburg, PA

***AESA's Mission Statement:***

The Mission of AESA is to support and strengthen regional educational service agencies by:

- Serving as a national voice for educational service agencies;
- Providing professional growth opportunities, technical assistance, advocacy and research;
- Helping member agencies promote, distribute, and leverage their knowledge, products, and services: and
- Assisting in the establishment of educational service agencies.

***AESA Governmental Relations Committee Initiative:***

AESA's Governmental Relations Committee initiative states, "We will strengthen our ability to affect education policy through appropriate and effective governmental relations activities." The 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 public education is the cornerstone of our democracy. 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.

- AESA believes that American public schools are highly successful and continue to confront and overcome the challenges of socioeconomic status, geography, citizenship status, and the accompanying deprivations that impact learning.
- The federal government plays an important role in support of the state responsibility for public education. Federal resources must be focused on providing support to public education. Nothing will provide a greater impact on the future of this country than developing the minds of its future citizens and leaders.
- ESAs are closer to school districts and their respective campuses than are State Education Agencies (SEAs), regional educational laboratories, and/or universities.
- Accountability is an important aspect in school improvement. ESAs are best positioned to assist districts with efficient and economical operational resources to support school 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 uniquely positioned to leverage federal, state and local resources to meet the needs of public and private schools to improve student learning.
  - There is no state or city education system too large to benefit from ESA services; there is no school or school system too small to be served by ESAs.
  - ESAs provide a network of expertise and local knowledge that spans artificial borders of school districts.
  - ESAs provide equal access to high quality education regardless of school district size, location, or demographics.

- ESAs must be eligible to receive funding from all federal education formulas and grants in order to carry out federal, state and local education initiatives. ESAs are efficient delivery models for education services at the local level and can serve multiple school districts at one time. AESA supports federal incentives to promote cost effective consortia.
- AESA supports fiscal policies that reinforce the capacity of the federal government to adequately support public education.
- The highest federal education funding priorities should be to fully support IDEA and significantly increase Title I funding before new federal education programs are considered. Funding for education programs should remain one of Congress' top priorities.
- 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, and expanding the definition of unfunded mandate to include a variety of important, mandated education programs, such as IDEA and ESEA.
- Rules and regulations promulgated by the U.S. Department of Education and other federal agencies affecting SEAs, ESAs, and LEAs should be monitored and influenced to ensure the intent of the laws is followed. The rules and regulations should not place new or onerous burdens on the SEAs, ESAs, or LEAs.
- AESA believes that all students benefit from high quality academic and career/technical opportunities.
- AESA supports the use of the definition of Educational Service Agencies (ESAs) in the Elementary and Secondary Education Act for all federal laws pertaining to ESAs for clarification and consistency between federal laws and regulations: “(A) - The term ‘local educational agency’ means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary schools or secondary schools in a city, county, township, school district, or other political subdivision of a State, or of or for a combination of school districts or counties that is recognized in a State as an administrative agency for its public elementary schools or secondary schools. (D) - The term includes educational service agencies and consortia of those agencies.”
- The U.S. Department of Education should remain as a cabinet-level federal agency to provide national leadership for state education agencies (SEAs), educational service agencies (ESAs), and local education agencies (LEAs) in the following ways:
  - Promoting equal educational opportunities for all learners;
  - Focusing on student achievement and promoting successful models of teaching and learning;
  - Identifying, disseminating and promoting new and innovative models and practices based on the foundation of research independently verified and conducted according to the highest standards. ESAs play a key role in the development and implementation of such research-based programs.

# *AESAs Federal Legislative Positions for 2008*

## *Elementary and Secondary Education Act*

AESA supports the intent of the Elementary and Secondary Education Act (ESEA) and encourages a full analysis of the Act and seeks modifications in the Reauthorization, which will strengthen local and regional flexibility and provide adequate federal funding to accomplish the goals of ESEA. ESEA should promote equal access to high quality education for all students.

Educational Service Agencies (ESAs) are an integral part of the American educational infrastructure, acting as a principal provider of technical assistance and professional development for school improvement. AESA strongly supports federal investment in this infrastructure. It is in the Federal government's best interest to strengthen existing networks of ESAs, and to encourage the development of ESA models for the improvement of education. The stronger the regional education networks the better the delivery mechanism that exists to assist local school districts with their specific needs.

AESA Goals:

- Title I:
  - Accountability
    - We support high standards and a goal of reaching proficiency. However, we believe that it is statistically unlikely that all students will reach a universal level of proficiency by 2014. Proficiency, as defined by the various states, needs to take into account the diverse needs of students, including multiple measures of accountability and methods of evaluation.
    - The primary responsibility for setting standards in education rests with the states. Given the need to ensure continued American competitiveness in the global economy, the ESEA statute should facilitate a process to develop voluntary model standards that may be used as a resource by states to develop their own standards. This process should include participation by education professionals and other stakeholders.
    - States should have flexibility in determining the means of measuring proficiency, including (but not limited to) individual student growth measures.
    - School improvement requirements must be graduated and targeted to address the needs of groups or subgroups identified as needing improvement.
    - Whenever possible, the intervention of school improvement programs and technical assistance to LEAs should occur at level closest to the affected education system.
    - AESA supports increasing the effectiveness of the state assessments to address the needs of each child and provide information to improve student achievement.
      - More accurate adaptive and formative assessments will provide more instructionally useful information to teachers and principals in a timely fashion.
      - Students with disabilities need to have assessments that measure their current level of achievement and growth from that point. Their achievement

should be measured based on the goals established in their Individualized Education Program (IEP).

- AESA believes that students with Limited English Proficiency should be appropriately assessed in English proficiency and content areas such as math, science and other subjects specific for that child. English language learners should not be forced to take tests in reading and math in English until they have the necessary working knowledge of the language.
- AESA supports redesign of the secondary education experience to reflect contemporary and future educational, social and economic conditions, and challenges at the state and local level. AESA believes that the federal government should support the directions of the states and local education agencies, including ESAs, in their efforts to achieve high school redesign, including the use of high quality alternative strategies and programs for public high schools. The federal support of these programs must not, however, come at the expense of other titles in ESEA or other federal education programs.
- AESA supports the right of state and local education agencies to determine the requirements for graduation, including the definition of graduation and/or completion rates for accountability purposes. AESA believes that graduation should be promoted and funded for all students regardless of how long it takes, including alternative educational programs.
- AESA strongly supports a goal of literacy for all students. AESA believes that the ultimate responsibility for determining the appropriate programs and methodology for how literacy should be taught should rest with state and local education agencies.
- ESEA resources should be focused on student learning rather than paperwork, reporting, and staffing requirements.
- Title II
  - AESA strongly supports the right of states to define what constitutes a highly qualified educator.
  - The federal government should provide incentives for recruiting and retaining educators in hard-to-staff positions regardless of location.
  - ESAs are national leaders in providing alternative licensure and certification, as well as professional development, for educators. AESA supports the right of states to determine allowable alternative routes to licensure or certification for educators.
  - Because technology is critical to our nation's efforts to remain competitive in a global economy, AESA supports expanded funding for instructional and professional development technology, and supports the continued use of the combination of competitive grants and a formula for the distribution of the funds.
- Title III
  - AESA encourages the use of consortia for smaller schools when applying for and implementing Title III programs in order to maximize the funding's effectiveness.
- Title IV
  - ESAs are national leaders in both school safety and after-school programs throughout the United States. AESA supports the continuation, expansion and restoration of the Safe and Drug Free Schools program and the 21<sup>st</sup> Century Community Learning Centers before and after school programs. AESA also

supports maximizing the flow of funds to schools, developing consortia for implementation, and flexibility in the allowable uses of funds under these programs.

- Title V
  - AESA supports the restoration of funding for Title V and the continued flexibility allowed under the Education Innovative Block Grant Program.
- Title VI
  - AESA supports the Rural Education Achievement Program Reauthorization Act and opposes the limitation of eligibility under the Rural and Low-income Schools Program that would eliminate funding for many rural districts.
- Title VII
  - AESA supports the continuation of programs dedicated to Native Americans, Native Hawaiians, Native Alaskans, and other native groups.

### ***Reauthorization of the Higher Education Act (HEA)***

The reauthorization of the Higher Education Act presents the members of AESA the opportunity to offer suggested changes to the law. ESAs are in a position to assist Institutions of Higher Education (IHEs) with technical assistance, professional training, and other services needed by educators to comply with NCLB, IDEA and the Perkins Career and Technical Education Act. Many programs within Title II of the HEA could be delivered by ESAs in consortium with or independent of IHEs. Data show that instructional programming delivered by ESAs is more cost effective with much lower overhead costs.

ESAs can provide a more cost effective mechanism at a regional level for ongoing, long-term training needs. Many ESAs deliver alternative certification thereby increasing the pool of highly qualified teachers as required in NCLB, IDEA and other federal laws. Delivery of such courses at the local/regional level is vitally important for school districts, especially those in rural areas, where colleges and universities are not in close proximity. It is also crucial for ESAs to assist LEAs in training teachers in critical needs areas, such as special education, math and science.

#### **AESA supports:**

- Direct funding to ESAs of Title II monies to assist with alternative certification programs for teachers and paraprofessionals. Participants in alternative certification and licensure programs should be eligible for federal student loan assistance. ESAs must be eligible to receive Stafford loans and Pell grants for students needing courses to obtain licenses and credentials as they work toward becoming highly qualified teachers and paraprofessionals.
- Evaluation of alternative licensure and certification programs in the same way that traditional licensure and certification programs are evaluated.
- Internship/mentorship programs for future education leaders, including principals, superintendents and other LEA and ESA administrators.
- Allowing ESAs to be the principal fiscal agent for IHE/ESA partnership grants. This will maximize the use of funding available to the programs supported by these grants.

### ***Individuals with Disabilities Education Act (IDEA)***

AESA remains committed to the federal government paying its full mandated share of the costs to implement IDEA.

AESA supports:

- Modifying IDEA to require that the district of residence for IDEA students be responsible for the equitable participation of parentally-placed private school students, as was the case in the 1997 IDEA law.
- AESA expects annual progress towards the mandated 40% funding commitment.

### ***E-rate***

The E-Rate Program provides important leveraging funds for education technology infrastructure to schools and libraries throughout the country.

AESA supports:

- Continuing the funding of the E-Rate Program as an integral part of Universal Service and the Universal Service Fund.
- The Universal Service Administrative Company (USAC) and its divisions as the vehicle for governance of the E-rate.
- The Federal Communications Commissions (FCC) retaining jurisdiction of the E-Rate Program.
- Maintaining the current poverty and locality based discount system for the disbursement of E-Rate funds.
- Maintaining the eligibility of ESAs to receive E-Rate funds.
- A reduction in paperwork.
- Encouraging LEAs to consolidate the application process by ESAs, especially rural and small LEAs.
- A permanent exemption from the federal Anti-Deficiency Act (ADA) for the Universal Service Fund. The Program's ability to collect and disburse funds in a timely fashion is undermined by the ADA, which requires that E-Rate funds be "in the bank," and harms the programs viability.

### ***Medicaid***

Medicaid reimbursement is an important part of the support services that ESAs and their LEAs provide to eligible students throughout the country. AESA is strongly opposed to steps that have been taken by the Center for Medicare and Medicaid Services to eliminate reimbursement for school-based transportation and administration costs.

AESA supports:

- A major cost-effective vehicle for delivering Medicaid reimbursements to eligible LEAs and ESAs and the students they serve.
- Legislation that clarifies the connection between IDEA and Medicaid.
- The expansion of Medicaid claiming to include eligibility for 504 Vocational Rehabilitation students.

- The Centers for Medicare and Medicaid Services to work with states, ESAs and local school districts to ensure a uniform methodology for claiming across the country.
- The extension of the moratorium that would protect schools from any changes being proposed by CMS until a suitable solution can be found.

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

Alternatives within the public school system are needed, such as public charters, magnet schools, accommodation schools, 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.

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 discriminatory.
- Oppose any voucher or tuition tax credit proposal that amplifies the gap between the “haves” and “have nots.”
- Advocate for uniform and consistent public oversight and accountability for all recipients of federal education funding.
- Encourage high quality, professional development programs for all personnel, including those in charter schools and other alternative programs.
- Work to focus the education debate to improve our public schools and not divert public school resources to private schools.
- Support the sunseting of the federal voucher in the District of Columbia, known as the DC Opportunity Scholarship Program.

### ***Early Childhood Programs***

The federal government rightly funds numerous early childhood (birth through age five) programs. ESAs often operate these programs on behalf of local communities and/or local school districts. Research demonstrates that quality early childhood education and development programs improve student achievement and close the learning gap, especially for high-poverty children, and are wise investments of public tax dollars. AESA believes the development and utilization of regional networks is the most cost effective method for the delivery of Early Childhood Programs.

AESA supports:

- Universal access to high quality comprehensive pre-school experiences, which are coordinated and articulated with the public school in which the child will enroll.

- Comprehensive early childhood programs and services, such as nutrition; social, health and mental health services; home visiting and family support: education and literacy; transportation and information; and referrals to other programs and services.
- Alternative certification programs and quality teacher training and professional development programs for early childhood teachers and paraprofessionals.
- The establishment of model child care centers in schools and other community sites.
- State and local certification of child care providers, not federal certification.
- Use of developmentally appropriate assessments and curriculum programs for early childhood learners.

### ***Workforce Investment Act***

The Workforce Investment Act (WIA) provides for a one-stop delivery system with employment and training services for job seekers and businesses. As with all aspects of education, WIA should be part of a seamless system of articulation from K-12, adult and post secondary education, and business connections to strengthen readiness for high school and post-secondary school or work. AESA supports strengthening relationships between ESAs and local and regional workforce training programs.

AESA supports:

- Maintaining representation of key educational and vocational rehabilitation partners on local workforce boards.
- Maintaining the current balance between in-school and out-of-school youth programming (currently up to 70% of funds may be used for in-school youth and 30% for out-of-school youth).
- Additional funding and programming opportunities for ESAs for workforce and development training for adult learners.
- Maintaining all elements of WIA that support strong local partnerships.
- Requiring all providers to meet the same program and accountability requirements.
- Maintaining current requirements for youth councils or providing state investment boards with authority to determine whether and how to create youth councils. Youth councils establish policies and award funds to support emerging workers in ways that bring business, education, workforce, and other partners such as the juvenile justice system together.
- Eliminating onerous eligibility requirements in WIA Title I and allow programs to use school lunch eligibility as the criterion for participation. Additionally, allow state workforce investment boards to designate as eligible all students of schools with high concentrations of youth at risk of leaving school without critical employment skills.
- Strengthening K-12 and economic development connections to WIA to support innovation in emerging technologies and high growth professions.
- Transitioning services for students with disabilities after they are no longer eligible to be served under IDEA.

### ***Secure Rural Schools and Communities Self-Determination Act***

AESA recognizes the challenges of school districts located in federal forest counties and urges the continuation of the safety-net legislation to ensure a consistent funding stream for these school districts. Until a full reauthorization can be passed, AESA urges Congress to pass a temporary emergency extension of the program to provide the impacted school districts the certainty they need to continue their work. In addition, AESA strongly believes that any full reauthorization of the Secure Rural Schools and Communities Self-Determination Act should treat all states slated to lose funding fairly, allowing for an equal ramp down in all impacted states.

### ***Children's Health Care***

AESA supports efforts to provide comprehensive health and mental health care insurance for all children and pregnant women. Early childhood care is critical in ensuring that children are ready to learn. AESA strongly supports the reauthorization of the S-CHIP program and maximizing the health care opportunities for children and pregnant women most in need.

### ***School Safety***

ESAs are a critical component of school and community safety efforts. Federal and state funding, including homeland security funds, must be made available to support the coordination and training efforts by ESAs on behalf of their schools and communities.

### ***Qualified Zone Academy Bonds***

AESA supports the Qualified Zone Academy Bonds (QZAB) program, including the expansion of funding to support new construction. Educational Service Agencies should be eligible to receive funds under QZAB under the same terms as other LEAs.

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