



2005 Federal Legislative Agenda

**Prepared by the AESA Governmental Relations Committee
January 13, 2005**

**Adopted by the AESA Executive Council
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Attendees of the 2005 AESA Governmental Relations Committee Meeting

Linda Lee Arzoumanian	Pima Co. School Superintendent	Tucson, AZ
Jim Baldwin	Questar III BOCES	Castleton, NY
Craig Burford	Ohio Educational Service Center Association	Columbus, OH
Richard Carlson	Klawock City School District	Klawock, AK
Ronald Fielder	Grant Wood Area Education Agency 10	Cedar Rapids, IA
Doug Garman	Wood County Educational Service Center	Bowling Green, OH
Tim Gavigan	CESA #1	Brookfield, WI
Dan Guericke	Mid-Central Education Cooperative	Platte, SD
William Habermehl	County Superintendent of Schools Orange County Department of Education	Costa Mesa, CA
JoAnn Henderson	Southeast Regional Resource Center	Juneau, AK
Ronnie Kincaid	Region XIV	Abilene, TX
Joe Marinelli	Wayne/Finger Lakes BOCES	Newark, NY
William Mayes	Huron Intermediate School District	Bad Axe, MI
Dale McCall	Centennial BOCES	Longmont, CO
Terry Munther	Educational Service District 101	Spokane, WA
Dave Myers	Educational Service Unit 18	Lincoln, NE
Edward Schmitt	Multnomah Educational Service District	Portland, OR
Joan Schuman	Hampshire Educational Collaborative	Northhampton, MA
Don Stevens	CESA #5	Portage, WI
Joe Vermeire	Rock Island Regional Office of Education	Moline, IL
Lee Warne	Southwest/West Central Service Cooperative	Marshall, MN
Colleen Wilcox	Santa Clara County Office of Education	San Jose, CA

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 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.

- The federal government plays an important role in support of the state responsibility for public education. Nothing will provide a greater impact on the future of this country as 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 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 best positioned to provide districts with technical assistance. A national definition for educational service agencies should be included in each federal education law.

- 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.
- 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, 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.
- The U.S. Department of Education 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 education 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.

AESA's Federal Legislative Positions for 2005

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, in particular the changes needed in career and technical training programs so that they are a vital component of economic development. 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 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.
- Increasing the funding and opportunity for students in grades K-12 to participate in new career and technical programs that offer project-based and applied learning instructional strategies.
- The important connections between career and technical training centers and post-secondary institutions.
- High academic and technical standards and assessments consistent with No Child Left Behind applied in technical and career education programs with increased emphasis on the integration of academic and technical competencies. Students should receive quality skill training in keeping with certifications offered through nationally recognized programs and national trade associations' standards. The accountability requirement for Perkins is best based on multiple academic and technical results and assessment of performance based upon portfolios of student work and standards.
- Additional funding and programming opportunities for ESAs for workforce and development training for adult learners.
- State responsibility to design and implement technical and career programming. To meet the needs within a state or region, ESAs shall be eligible to run high quality, efficient career and technical programs.
- In-state minimum grants and pooled funding consortia to provide better delivery of career and technical services for students. In the last reauthorization, the minimum grants provision was removed. This language should be re-introduced with the threshold amount increased.
- One application process on behalf of school districts served by an ESA or consortia. These cost savings measures will allow more dollars to reach

students. In states where ESAs do not exist, LEAs should be encouraged to form consortia for cost effectiveness and the reduction in paperwork.

- Increasing funds in support of highly qualified and technically trained teachers and support staff.
- The current funding mechanism and would oppose a new formula or proposal that moves funds from the secondary level to the post-secondary level.
- Maximum flexibility in offering a variety of classes to students, including career/technical classes and college preparation classes.
- Continued separate funding of federal Tech Prep under Part A.

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:

- 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 percent for out-of-school youth.
- Maintaining current requirements for youth councils or provide 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.

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 (IHE) with technical assistance, professional training, and other services needed by educators to comply with NCLB, IDEA and the Perkins Vocational 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. ESAs can deliver alternative certification thereby increasing the pool of highly qualified teachers as required in NCLB 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 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 paraprofessionals. 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.
- Expanding the definition of 'High-need LEA' to include rural, small schools.
- 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 the partnership grant. Doing so will maximize the use of funding available to the programs supported by the grant.

Head Start and Other Early Childhood Programs

The federal government rightly funds numerous early childhood programs. ESAs often run these programs on behalf of local communities and/or local school districts. There is credible research proving that quality early childhood programs are wise investments of public tax dollars.

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 Head Start for clarification and consistency between this and other federal laws and regulations.

- Universal access to quality pre-school experiences, which are coordinated and articulated with the public school in which the child will enroll.
- Alternative certification programs and quality teacher training and professional development programs for early childhood teachers and paraprofessionals. ESAs administer and operate early childhood programs and must be included in the federal definition as a provider and eligible for funding.
- The establishment of exemplary model child care centers in schools and other community sites.
- State and local certification of child care personnel, not federal certification.
- Development of appropriate assessments and curriculum programs for early childhood learners.
- Head Start and other early childhood programs. AESA is concerned about proposals to block grant these programs, which would weaken their effectiveness at the local level.

E-rate

The E-rate program provides important leveraging funds for education technology to schools and libraries throughout the country.

AESA Supports:

- 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.
- The E-rate going directly to ESAs and LEAs.
- A reduction in paperwork.
- Encouraging LEAs to consolidate the application process by ESAs, especially rural and small LEAs.
- Continuing the funding of the E-rate as an integral part of Universal Service and the Universal Service Fund.
- A permanent exemption from the federal Anti-Deficiency Act for the Universal Service Fund. The Anti-Deficiency Act requires that E-rate funds be “in the bank” effectively cripples the program’s ability to collect and disburse funds in a timely fashion and undermines the programs viability.

High School Redesign

AESA supports redesign of high schools to reflect contemporary educational, social, and economic conditions at the state and local level. AESA believes that the federal government should support the directions of the states and local school districts in their efforts to achieve high school redesign.

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 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 public 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 funnel public school resources into private schools.

Tax Issues

AESA strongly opposes the repeal of the current exemption for state and local taxes from federal taxation. This proposed repeal would dramatically impair the capacity of the states and local school systems to support essential state and local services, including the educational programs and reforms required by IDEA and NCLB.

Medicaid

Medicaid reimbursement is an important part of the services that ESAs and their LEAs provide to eligible students throughout the country.

AESA Supports:

- A major cost-effective vehicle for delivering Medicaid reimbursements to eligible LEAs and ESAs and the students they serve.
- Maintaining 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.

No Child Left Behind

The education reforms incorporated in the No Child Left Behind Act place great emphasis on accountability for achievement and improvement of low performing schools. ESAs around the nation are working with districts to provide assistance and intervention to all the schools we serve. AESA supports the principles of No Child Left Behind, and believes strongly that we must engage with those closest to children.

AESA supports:

- Federal funding for the full cost of implementation of NCLB at the local level.
- Flexibility for states and local education agencies in determining the appropriate means for determining proficiency under adequate yearly progress (AYP).

Individuals with Disabilities Education Act (IDEA)

AESA lauds the reauthorization of IDEA (P.L. 108-446). AESA remains committed to the federal government paying its full mandated share of the costs to implement IDEA, and will work towards a full implementation of IDEA through the regulatory process by December, 2005.