




OESCA's

Federal
LEGISLATIVE PRIORITIES



2008-2009



OESCA has adopted, to a significant degree, the positions of the Association of Educational Service Agencies (AESA), as outlined in AESA's 2008 legislative platform, in the policy areas of reauthorization of the Elementary and Secondary Education Act (ESEA), reauthorization of the Higher Education Act (HEA), the Workforce Investment Act (WIA), IDEA, E-rate, Medicaid, Head Start, Early Childhood Education, and other federal initiatives as outlined below.

About OESCA

OESCA is the statewide organization representing the more than 8,000 administrators, teachers, paraprofessionals and other personnel employed by Ohio's 58 Educational Service Centers (ESCs).

OESCA provides legislative updates and coordinates member lobbying efforts as well as coordinating communications among its member organizations.

OESCA also provides professional development opportunities for service center administrators and personnel through issue-related seminars and major conferences.

OESCA *Mission*

OESCA and its members provide leadership and services that enable school districts to increase student achievement and improve Ohio's educational system.

OESCA *Vision*

OESCA will be recognized at state and national levels for educational leadership and superior member services.



OESCA's Core Policy Principals & Goals

The Ohio Educational Service Center Association is committed to working in cooperation with school districts, allied educational organizations, state and local policy makers, and other stakeholders to promote and support educational reform efforts that provide for an efficient, effective and quality system of education that is fiscally and academically accountable and which prepares all students to achieve high levels of academic success.

In so doing, OESCA has based its legislative policy recommendations on the following core goals:

- To increase the State's capacity to effectively and efficiently serve Ohio's schools.
- To advocate for the well-being of children as the basis of education policy decision making.
- To support safe and healthy learning environments.
- To increase student achievement and academic success for all students.
- To provide access to a thorough and efficient education to all Ohio children regardless of where they live.
- To build school district academic, operational and fiscal capacity.
- To facilitate the effectiveness, professionalism, and capacity of all school personnel.
- To promote pre-K-16 alignment with Ohio's economic development strategic plan addressing how to align curriculum with jobs of the 21st century.
- To achieve greater efficiency and effectiveness in the delivery of educational and professional services to schools, both academically and financially.

Beliefs that Guide the Association's Governmental Relations Activities



OESCA believes that public education is the cornerstone of our democracy. Educational service centers provide (1) leadership to help all education professionals and students reach high standards of performance and (2) cost-efficient regional services. Therefore, OESCA actively promotes and supports the following beliefs:



- OESCA believes that 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.
- OESCA believes accountability is an important aspect in school improvement; ESCs are best positioned to assist districts with efficient and economical operational and academic resources to support school accountability.
- OESCA believes ESCs are best positioned to provide districts with technical assistance.



- OESCA believes ESCs should be eligible to receive funding from all federal education formulas and grants in order to carry out federal, state and local education initiatives.
- OESCA supports cooperative efforts through ESCs and other regional service providers to enhance local resources and to create greater efficiencies.
- OESCA opposes state and federal unfunded and under-funded mandates, placing requirements and restrictions on public school districts and educational service centers.
- OESCA believes the Ohio General Assembly and the United States Congress should fully fund all requirements assigned to public school districts and, further, should review current mandates and grant relief through funding or suspension, particularly during economic downturns.
- OESCA strongly supports state recognition of federal designation of ESCs as Local Education Agencies (LEAs). ESCs (ESAs) are defined in the Elementary and Secondary Education Act as such, *“(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.”* OESCA supports the use of this definition in all federal laws pertaining to ESAs for clarification and consistency between federal laws and regulations.
- OESCA believes alternatives within the public school system are needed, such as public charters and inter district school choice (open enrollment). Alternative educational systems that have appropriate accountability (e.g., public oversight and conform to state and federal laws and regulations) are acceptable.

An Increased Role for Ohio's ESCs in the Deployment of Federal, State & Regional School Improvement & Related Education Initiatives

OESCA supports an increased role for ESCs in the deployment of federally and state funded education initiatives including early childhood education, school improvement, data-driven decision making, professional development, teacher recruitment and retention, special education and related services and more.



ESCs are grounded in state and federal law. ESCs are defined as school districts under the Ohio Revised Code. ESCs are defined in section 3311.05 of the Ohio Revised Code. Further, section 3311.05.5 stipulates that wherever the term "school board" or "board of education" appears in Title 33 of the Revised Code, unless expressly prohibited, the term also refers to education service centers.

Under federal law, ESCs (ESAs) are defined in the Elementary and Secondary Education Act as such, *"(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."*

Ohio's ESCs can serve as a valuable, and cost-effective, conduit for the roll out of state initiatives and are important to the quality of education in Ohio for the following reasons:

- **Accessibility:** geographically disbursed across the state – ESCs serve each county and their corresponding schools across the state of Ohio. ESCs already provide an important link between schools and health and human service agencies and other community-based organizations. ESCs already provide an important link between schools and health and human service agencies and other community-based organizations and can continue to serve as the conduit for "wrap around" services.
- **Experienced and Effective:** During difficult economic times, it is important to identify solutions that utilize known, existing, reliable and capable service providers to deliver vital programs and services that districts need most in their efforts to increase student achievement. The solution is not always about more money. It is also about effectively targeting resources and maximizing the state's return on investment. ESCs are a central part of that solution.
- **Capacity:** adequately staffed with varied and experienced personnel.
- **Integrated:** In schools working with kids and teachers on a day-to-day basis. Ninety-percent of ESC staff are in the school buildings and classrooms of Ohio's schools every day providing direct support to school-aged children and job-embedded professional development to teachers and administrators.
- **Networked:** ESCs not only operate on the local level, but also have the advantage of a statewide network through their state association committee structure and organization.



Federal Legislative Priorities for 2008-2009



Elementary and Secondary Education Act

OESCA 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. OESCA 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.

OESCA 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.
- OESCA 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).

--- OESCA 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.



- OESCA 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. OESCA 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.



- OESCA 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. OESCA believes that graduation should be promoted and funded for all students regardless of how long it takes, including alternative educational programs.
- OESCA strongly supports a goal of literacy for all students. OESCA 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:

- OESCA 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. OESCA 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, OESCA 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.

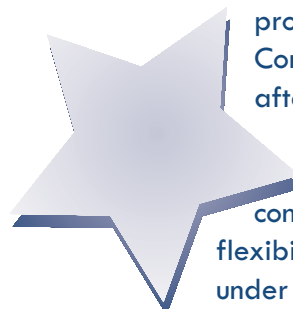


Title III:

- OESCA 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. OESCA supports the continuation, expansion and restoration of the Safe and Drug Free Schools program and the 21st Century Community Learning Centers before and after school programs. OESCA 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:

- OESCA supports the restoration of funding for Title V and the continued flexibility allowed under the Education Innovative Block Grant Program.

Title VI:

- OESCA 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:

- OESCA supports the continuation of programs dedicated to Native Americans, Native Hawaiians, Native Alaskans, and other native groups.



Individuals with Disabilities Education Act (IDEA)

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

OESCA 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.
- OESCA expects annual progress towards the mandated 40% funding commitment.

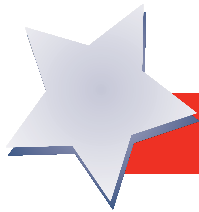
Reauthorization of the Higher Education Act (HEA)

The reauthorization of the Higher Education Act presents the members of OESCA 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.

OESCA 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.



E-rate

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

OESCA 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. OESCA is strongly opposed to steps that have been taken by the Center for Medicare and Medicaid Services (CMS) to eliminate reimbursement for school-based transportation and administration costs.

In Ohio, despite decades of experience in administering the program for school districts, a decision by the Ohio Department of Jobs and Family Services (ODJFS) has left ESCs ineligible to act as a service provider under the new School-based Medicaid Program. The close of the CAFS program and the

inability to restart it in a timely manner placed additional fiscal pressure on special education funding. This situation further compounded special education funding pressures that relate in part to the fact that the state's cost-based special education funding methodology is not fully funded because the weights are funded at 90% and have not been updated in four years.

The new school-based Medicaid plan does not include ESCs as eligible providers. Instead ESCs, and county boards of MR/DD, would have to develop contractual relationships with the resident school districts creating a process characterized by additional administrative burdens on both the resident school districts and the providers; this process will jeopardize the access and potential of federal dollars being received by these educational entities.



Permitting ESCs and MR/DDs to bill for services would improve efficiency by dramatically reducing the number of providing agencies who would bill. Moreover, many ESCs employ providers serving more than one school district, and this would permit one billing rather than multiple ones from each of the resident districts. Many of the ESCs have their own programs serving the pre-school population and under the new program and proposed rules would have no opportunity to access Medicaid funds for otherwise eligible students.

Additionally, the updated school-based Medicaid plan should allow for schools to receive back payments for qualified services dating back to July 1, 2005. We are supportive of these efforts to capture federal funding for services our schools continued to provide (and were required to provide) for Medicaid eligible students with disabilities – this includes Educational Service Centers.

In many cases, it is the ESCs that have the necessary billing information since they continued to collect and retain those records as they had prior to July 1, 2005, on behalf of the school districts.

The Centers for Medicare/Medicaid (CMS) permits similar entities in other states to receive direct Medicaid payments for these services. The same recognition should be granted to service agencies (ESCs) and county boards of MR/DD in Ohio.

OESCA supports:

- A major cost-effective vehicle for delivering Medicaid reimbursements to eligible LEAs and ESAs and the students they serve.
- ESCs are LEAs in federal and state law and, as such, should be eligible providers under the new Ohio Schools Medicaid Program.
- 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.

OESCA 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 sunset of the federal voucher in the District of Columbia, known as the DC Opportunity Scholarship Program.

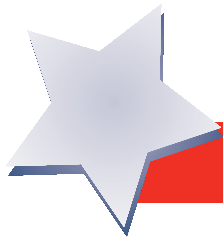
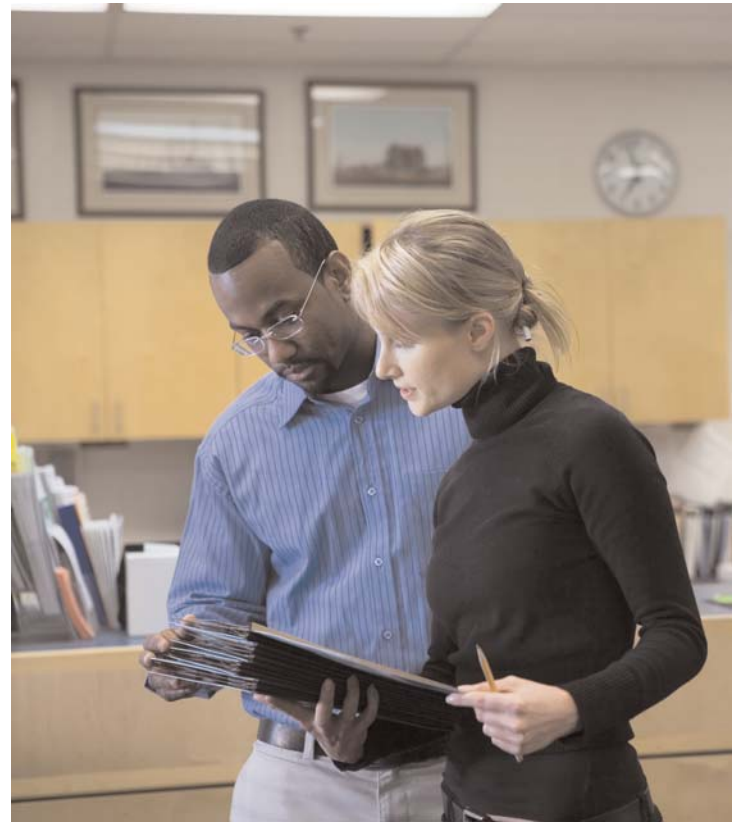
Early Childhood Programs

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. OESCA believes the development and utilization of regional networks is the most cost effective method for the delivery of Early Childhood Programs.



OESCA 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. OESCA supports strengthening relationships between ESAs and local and regional workforce training programs.

OESCA 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.

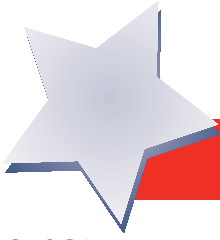
- Requiring all providers to meet the same program and accountability requirements.
- Maintaining current requirements for youth councils or providing state investment boards with authority to determine whether and how to create youth councils. Youth councils establish policies and award funds to support 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.





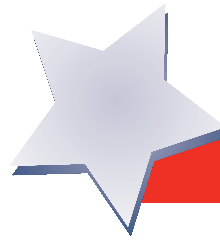
Secure Rural Schools and Communities Self-Determination Act

OESCA 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, OESCA 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, OESCA 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.



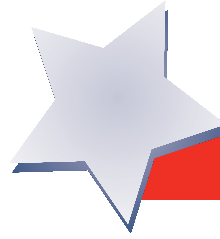
Children's Health Care

OESCA 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. OESCA 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

OESCA 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.