

# TechMIS Index 2000-2014

## 2000 TechMIS Washington Update Topics

### January 2000

- Draft guidance related to assessment and accountability as reflected in Ed-Flex Peer-Review Guidance, which will likely be used to determine which existing state assessment and accountability procedures can be approved for Ed-Flex eligibility; the bottom line is whether the USED will indeed stand behind its rather strong position;
- The results of a GAO report confirming that Title I school-wide programs should be targeted by producers of products and services for LEP students;
- Expanded efforts by USED to make more Federally-developed Internet databases and websites available, including the new Gateway to Education Materials (GEM) initiative;
- Revised priorities for the new round of 21<sup>st</sup> Century Learning Center applications, which focuses on improving subject matter instruction, especially for LD and special education students;
- An E-Rate update, which summarizes commitments during the second round and highlights the new E-Rate eligibility list, including new wireless and satellite services;
- A new research and assessment design which could drive the Head Start market for new technology-based products;
- Expanding controversies over various approaches to teaching mathematics, which indicates that it will be an issue in ESEA reauthorization;
- An NCES report, which finds a significant increase in the number of youth receiving GEDs versus high school diplomas;
- Several indicators suggesting a higher priority will be placed upon high school reform in the upcoming ESEA reauthorization;
- A new initiative by the Department of Army to use college degrees and GEDs obtained while in military duty as incentives to increase enlistments, an approach which was tried almost three decades ago without much success;
- Several initiatives which suggest that disability advocacy groups are going to be using the courts to ensure greater access to technology and Internet for students with disabilities.

### February 2000

- Special Report on FY2001 Proposed Budget Has New Wrinkles Clearly Reflecting Clinton Fingerprints for Posterity
- Digital Opportunity Proposal Could Provide Greatest Opportunities for TechMIS Subscribers Among Proposed FY2001 Budget Initiatives
- Congress and USED Tying-Up Loose Ends on FY2000 Budget
- ESEA Reauthorization
- Comprehensive School Reform Demonstration Act: Update
- Congressional Web-Based Education Commission Holds First Meeting
- Highlights of National Title I Conference

- Highlights of CCSSO State Technology Coordinators Conference
- E-Rate Update: Round Three Aggregated Demand Two Times Greater Than \$2.25 Billion Cap
- DOL Issues Guidance For New WIA Youth Component Which Will Provide Expanded Opportunities for TechMIS Subscribers
- Political Pressures Mounting to Increase Funding for Summer Job Program Under WIA
- Blueprint for Producing and Maintaining Skilled Work Force Presented to Vice-President Gore
- New NCES Report Finds State Library Agency Expenditures Vary
- Achieve/McREL Database of State Academic Standards Now Accessible on Achieve Website
- Congress Begins to Address USED Lists of “Proven Practices and Models”

### **April 2000**

- E-Rate Update, which strongly suggests that more than the expected refunds under the BEAR process will occur for Year 1 and Year 2, and that the prospects for continuing the BEAR process for Year 3 are good;
- New Children’s On-Line Privacy Protection Act (COPPA) rules become effective April 21 and will affect any website operators and on-line service providers;
- Proposed legislation similar to COPPA could limit advertising in schools via the Internet;
- ESEA re-authorization is uncertain this year because of partisan politics;
- Findings from the Early Childhood Longitudinal Study provide good baseline data on kindergarten students and could become a “national norm” for subsequent evaluations of early childhood materials;
- New IDEA assessment mandates required by July 1st are forcing many states to scramble and look for effective programs to meet the mandated deadline;
- New American Schools Corporation will provide approximately \$15 million in loans to groups who wish to develop model programs;
- The Administration calls for dual instruction to replace traditional bilingual instruction.
- USED reports find the use of computers in Charter Schools increasing, which could provide some opportunities for software publishers and technology vendors;
- Debate over future of NAEP could provide implications for software publishers;
- Pending GAO report and new legislation are likely to reduce Medicare reimbursements to districts and tighten budgets for technology purchases;
- New multi-agency research initiative provides funds for R & D in areas of early learning and science/math;
- Corporations to provide \$50 million for black colleges and universities to address the “digital divide” problem;
- White House New Markets Initiatives wants participation of the private sector.
- DOL provides \$225 million to 36 grantees to provide education and support services to out-of-school youth.

## **May 2000**

- New Study Suggests Reasonable Accommodation Be Provided For High Computer Using Students in High Stakes Testing
- NIL Survey Finds Increase in Distance Learning in Adult Basic Education and Related Literacy Programs
- Remedial Courses to Expand in Two-Year Colleges
- **Below The Surface Anxieties About ESEA Future Emerge During NAFEPA**
- **USED Seeking Comments on New National Technology Plan**
- **National Reading Panel Recommendations Likely to Add to Reading War Debate**
- New/Revised National Standards on Technology Education and Math Released
- The Administration Seeks Emergency Funding for Summer Youth Training and Education Programs
- Standards-Based Reform Initiatives Being Reconsidered
- **New Report Profiles Community College Population**
- The White House Kicks Off New Markets Initiatives to Bridge the Digital Divide
- Medicaid Reimbursement to Schools for Related Services Costs Likely to Continue but Process Will Likely Be Streamlined
- Eduventures.com Report on Industry Predicts Healthy Future but Discussions With Investment Firms Suggest Some Redirections

## **June 2000**

- New Study Confirms State Assessments/Teaching Content Alignment Are Worse Off Than Previously Thought.
- **FY 2001 Budget Battle Heating Up**
- Native American Niche Market for Technology Products Likely to Experience Rapid Growth
- Teachers in Title I High-Poverty Schools Use Computers and the Internet Less Than Wealthy Schools, Even Though They Perceive Themselves as Being “Relatively Well Prepared”
- Research-Based, Proven Methods “Mentality” in Congress would Stifle Innovative Use of Technology
- **USED Submits Annual Report on Technology Literacy Challenge Funds to Congress**
- New Education Resources Added to USED’s FREE Website in Direct Competition with Commercial Publishing
- New Survey Addresses What Types of Software are Being Used with ESL Programs in New York State
- Current Parent-Child Divide on Internet Issues is Large and Could Have Implications for Content Providers
- **Proposed Legislation Would Increase Student Participation In Math And Science**
- **Update: Charter Schools**

## **August 2000**

- New RAND Report Provides Political Fodder For Gore's (And To Some Extent For Bush's) Campaign, But The Press Coverage Omits "The Rest Of The Story"
- White House Releases FY 2001 Budget "Sticking Points" in Order To Arrive at Compromise with Congress
- Summer Youth Education Programs Suffer Short Term Setbacks as Workforce Investment Act Replaces JTPA
- "Fair Use" Clarification for Schools Could Become an Unintended Consequence of Napster Ruling
- Web Based Education Commission Encourages Stakeholders to Submit Testimony
- Recent Supreme Court Decision Allows Public Schools to Loan Computers and Software Purchased under Title VI, Could Be Political Ammunition for E-Rate Opponents
- California Learning Resource Network Could Create Major Problems For Education Software and Related Publishers
- Allocation of Reading Excellence Program (REA) to Ten States Will Provide Critical Mass Funding to Limited Number of Schools, Thereby Providing Marketing and Sales Opportunities for Vendors with Reading Programs
- New GAO Report Provides Useful Information On Types of Products and Features and How to Position Them For Title I School-wide Programs
- Congressionally Mandated Report Identifies Barriers to Assistive Technology Use and Recommends New Federal Policy Initiatives
- *Extended Learning/After School Programs Becoming Enmeshed in Partisan Politics*
- Implementation of Federal and State Special Education Policies Could Expand Alternative Schools and Juvenile Facilities Education Programs

## **October 2000**

- Title I Assessment Issues Becoming Critical But Resolution Will Be Left To The Next Administration
- New Kappan/Gallup Poll Findings On Technology, Testing, and Purpose of Schools Suggests Numerous Implications
- Out-of-School Use of Computers is Suggested as an Alternative to Standardized Tests to Measure Computer Use Effects on Student Learning
- New GAO Report Presents Findings Which Question the Need for Proposed Federal Legislation to Protect Students From Commercial Activities and Advertising and Market Research
- President's Advisory Commission Calls for Expanded Educational Opportunities for Hispanics
- Title XI "Coordinated Services Projects" Which Provide Unusual Funding Flexibility Is Seldom Used By Districts
- Large Urban Districts Report Impact of Class Size Reduction Over Two Years
- New Milken Family Foundation Report Provides A Reality Check On Performance-Based Compensation For Teachers
- EdNet 2000 Survey of Buyers and Users of Education Technology Have Some Interesting Findings

- Republican Leadership Announces Its Education Reform Agenda For Next Year
- New USED Guidance Would Allow Title I Funds To Be Used To Provide Incentive Awards
- New Small Safe Schools Program Grantees Announced
- New Law Increasing the Visa Allotments for Foreign High-Tech Workers Includes Mandated Funding of Computer Literacy Training for U.S. Students
- New Survey Finds Public Support for Federal Funding to Support Technology Use in Schools and Libraries
- Funding for Pre-School Programs Among Several Federal Sources Increasing Dramatically
- Special Education Student Assessment Issues Result in Wide Variance In State Implementation of New IDEA Provisions Suggesting Which States to Target
- New “Compact for Reading” Initiative to Improve Reading Scores and Link Schools to Home Underway in Five States
- New CEC Report Finds Only 60% of Special Education Teachers Retained After Four Years and 68% of Those Spend Less Than Two Hours a Week in Individualized Instruction With Each of Their Students
- USED Announces Planned Grant and Contract Funding Opportunities Over the Next Year For FY 2001
- E-Rate Update

### **November 2000**

- New “Impact Aid” Funding for Technology Purchases in Rural Counties
- New Education Commission of the States (ECS) Survey Highlights State Activities Related to Online Education Services
- IDEA Special Education Likely to be Big Winner in FY 2001 Funding
- National Center for Education Statistics Releases Projections on Enrollment and Expenditures
- State Lotteries As a Good Funding Source for Education and Technology Questioned in New Report
- High School Course Taking in Vocational Education Areas Decreases While Academic College Preparation Courses Increase Significantly
- Serious Changes in National Assessment of Education Progress (NAEP) Under Consideration
- SEA Officials Provide Hints on Education Agenda Next Year
- Newly Created Consortium to Help Community Technology Centers Could Provide Alliance Opportunities for Technology Vendors
- Study Finds Title I Funds Key to Use of Technology in Middle and High Schools Which Receive Title I Funding
- E-Rate Update: Year 4 Window Opened While Year 3 Internal Connections to be Funded at the 81% Poverty Level or Higher

## **December 2000**

- New American Schools (NAS) Guidelines for Selecting Vendors of Comprehensive School Reform Designs Could Have Significant Implications for Non-NAS Modeled Designers and Service Providers if Used Widely by Districts
- Annual Report to Congress Identifies Important Special Education (IDEA) Trends Over Last 25 Years
- New Early Childhood Longitudinal Findings Could Provide “National Norm” for Assessing Alternative Kindergarten Programs
- 21<sup>st</sup> Century Community Learning Centers Offer Sales Opportunities for a Variety of Technology-Based Products
- Technology Leadership and Knowledge of Administrators Likely to Merge as a Large Issue Next Year
- Web-Based Education Commission Reports Some Consensus on Issues Related to E-Learning and Should Serve as a Point of Reference for Future Debates in Congress and Among Other Policy Makers.
- USED Releases Second Five-Year National Technology Plan Which Recommends a Multi-Faceted Approach for Ensuring Development of Quality Digital Content
- USED Office for Civil Rights Releases Final Report Entitled “The Use of Tests When Making High-Stakes Decisions for Students: A Resource Guide for Educators and Policy-Makers”, which is Also a Must-Read for Publishers and Online Content Providers for Special Education and Limited-English-Proficient Niche Markets
- Final Regulations on Electronic and Information Technology Accessibility Standards Will Affect Publishers Selling or Licensing Multimedia Products to Federal or State Agencies
- Title I Update

## **2001 TechMIS Washington Update Topics**

### **January 2001**

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- Final Regulations on Electronic and Information Technology Accessibility Standards Will Affect Publishers Selling or Licensing Multimedia Products to Federal or State Agencies
- Title I Update

### **March 2001**

- State Revenue Shortfalls Pressures Governors and Legislatures to Cut Education Budgets for Technology
- Special Education Funding Surfaces in Numerous Quarters in Congress
- Achievement Gap Between Students With and Those Without Disabilities Not Likely To Be Reduced Through the Use of Any Model, Research-Based, Proven Approaches
- Use of Internet for Online Assessments Appears to be Priority Growth Area
- High Stakes Testing of Special Education Students Becoming the Highest Education Political Issue and Challenge --- But Also Opportunities for Education Technology Firms
- Highlights of CCSSO 2001 State Education Technology Leadership Conference
- Public Agenda Poll “Reality Check” Finds Students Acceptance of High Stakes Testing and Other Assessments Higher Than Parents and Teachers
- E-Rate Update
- Most Districts Taking Wait and See Attitude on New Filtering Legislation
- ESEA Reauthorization Update



- Expanded Distance Learning and Telemedicine Program Provides Good Opportunities for Service Vendors

### **April 2001**

- White House Policy Staff Briefs NCTET on Bush Education Reform Proposal --- and Hints at Likely Changes
- CEO Forum Provides Cogent Recommendations to Bush and Congress on Technology Policy
- Senate Bill on Fair Use and Copyright Issues Related to Distance Learning May Pass But Guidelines on Specifics Will Be Required
- ACLU and ALA File Lawsuits to Overturn Children’s Internet Protection Act Which Targets E-Rate Funding
- Recently Released House Bill (HR 1) Closer to Bush’s Blueprint for ESEA Reauthorization and Education Technology Than Senate Bill (BEST)
- Substance of the Proposed Bush Reading First Initiative Presented Before CGCS Conference
- The Bush Testing Initiative As Initially Proposed is Likely to be Modified Significantly, Due Not Only to Technical Reasons, But Also to Political and Cost Considerations
- Administration’s Plans on School Construction and QZAB Modernization and Curriculum Upgrade Funding is Uncertain
- Federal Program Administrators’ Recommendation on ESEA and Title I Reauthorization Reflects Common Sense and Reasonable Reform
- Senate Budget Resolution Would Do Away With Advanced Funding
- Donated Used Computers From Military to Education Institutions Could be Severely Reduced in the Immediate Future
- E-Rate Update
- USED/NCES Releases Early Estimates on K-12 Statistics for School Year 2000-2001

### **May 2001**

- Final Bush Proposed FY 2002 Budget Finally Submitted With “Devil in the Details”
- Bush Proposes to Perform Radical Surgery on E-Rate Which Would Likely Kill the Program
- FCC Proposes Changes in the Way Limited Internal Connection E-Rate Funding Will be Provided to Applicants
- Defining and Enforcing “Adequate Yearly Progress” Will Continue to Be the Achilles Heel of Any National Title I Accountability Initiative
- New Guide for Speaking and Listening Standards for Pre-K-3 Will Have a Major Impact in Many States
- Use of Education Technology in Vocational Education Likely to Increase
- Federal Bureau of Prisons Population to Increase While State Prison Incarceration Growth Is at an All-Time Low



## **June 2001**

- Congressional Fly In Highlights June 12-13
- Senate Passes Distance Education Copyright Reform Which the House is Likely to Pass Intact
- USED Grant/Funding News
- Under 21<sup>st</sup> Century Community Learning Center Grant Program, 308 School Districts to Receive \$206 Million in New Grants
- Net Day Releases Findings of a Recent Survey on Internet Use by Teachers
- End-of-Course Exams Replacing Norm-Referenced Standardized Tests in Rapidly Increasing Numbers of States
- Achieve and College Board to Develop and Sell Middle School Math Instructional Materials and Imbedded Assessments
- New NCEO Report Can Provide Extremely Useful Guidance to Publishers of Administrative and Instructional Software for Special Education Programs
- Southern Regional Education Board Heads a Coalition of Twelve Southern States to Improve Algebra Instruction and Assessments at the High School Level
- New USED Report Concludes that Charter Schools Result in Changes in Public Schools To Become More Competitive
- Education Leaders Council Expands Membership Focusing on Education Reform Which Could Have Major Political Impact

## **July 2001**

- Senate Appropriations Sub-Committee Holds Hearings on Federal Role in Expanded Use of Technology in Education
- Final Report on Education Technology by CEO Forum is On Target But Will It Have an Impact on the Administration's Policy?
- U.S. District Court Settles ACLU/ALA Filtering Lawsuit Extending Effective Date by One Year
- States Likely to Allow New Immigrants to Enter College at Lower Tuition Rates Which Would Likely Create an Increased Demand for ESL and Remedial Programs
- Major Obstacle to ESEA Reauthorization is Large Differences Between House and Senate Definition of Adequate Yearly Progress: Likely Solution Will Be to Amend Current Practice
- New NCES Surveys Address Vocational Programs' Use of Skill Competencies and Credentialing Processes
- New NCEO Report Describes State-By-State Use of Various Procedures to Implement Assessment and Accountability Provisions in IDEA for Special Education Students
- New State Level Working Group Formed to Facilitate Greater Coordination and Integration Between Special Education and Title I Programs
- House Panel Passes Important Web-Based Education Commission Recommendations Which Would Loosen Requirements for Students Who Can Qualify for Federal Aid Taking Distance Learning Courses
- Proposed Policy Changes in IDEA

- New Bush Executive Order Suggests Department of Labor to be More Pro-Active in Promoting the Use of Technology to Deliver Education and Training Programs
- Federal School-To-Work Office Will Be Abolished at the End of September
- USED/NCES Announces K-12 Revenues and Expenditures for SY 1998-99

### **September 2001**

- USED Under-Secretary Urges Principles Which He Feels Should Be Followed by Congress in Reauthorizing ESEA Which Differ from Some Policy Positions Taken by the White House in Specific Cases
- School Partnerships with External Groups Have Expanded Significantly Over the Last Decade Suggesting Opportunities for Firms to Maximize Sales Leverage From “Free” Resources
- Thirteen States to Receive \$327 Million Under Reading Excellence Program Which Provides Good Opportunities for Vendors That Have Reading Products and Provide Staff Development Services
- Analysis of National Assessment of Education Progress (NAEP) Math Scores Find Increased Student Scores Associated with the Use of Computers to Demonstrate New Topics or for Simulations
- New Head Start Curriculum Guide for Literacy Development to be Modeled on One Used in Dallas Head Start Cone Center and Championed by First Lady Laura Bush
- Business Coalition for Excellence in Education Takes Strong Position on ESEA Reauthorization Reforms But Where Will the Money Come From?
- Demand for GED Products and Services Increasing Before New, More Difficult GED Battery of Exams Replaces Current Version on January 1, 2002
- Effective Practices Which are Most Likely to Close Achievement Gaps of Students in High Poverty Title I Schools Identified in New USED Study
- Federal Special Education Earmarked Funds (\$300 Million) Under School Renovation Grant Program Likely to be Used to Purchase Technology and Non-Reoccurring Cost Products

### **October 2001**

- ESEA Reauthorization Update
- More Medicaid/Child Health Insurance Program Reimbursements Going to Districts Thereby Freeing Up More IDEA Funds To Purchase Instructional Technology and Related Services
- New Survey Findings Should Help Firms Target What Types of After-School Programs, How to Position Products, and Who To Approach
- Growth in Community College Enrollments Could Provide Opportunities for Vendors of Certain Types of Products and Services
- New Brookings Institution Report Questions the Widening of the Reading Achievement Gap on NAEP Tests and Issues Caution About the Use of NAEP to Ensure State Assessments are not “Dumbed Down”
- E-Rate Update

- Similar to the House, the Senate Has Introduced Its Version of the Internet Equity Act
- New Distance Learning Teacher Training Program for Teaching Literacy Skills and Practices for Pre-K and Kindergarten Students Could Create Opportunities for Vendors of Instructional Programs

### **November 2001**

- AASA Announces its Opposition to HR 1 - the ESEA Reauthorization Bill Which is Currently Progressing through the Conference Committee
- Commission on Instructionally Supportive Assessments Recommends Nine Requirements that States Need to Follow in Developing and Selecting State Assessments as Increased State Assessments Likely Under New Federal Mandates
- National Education Goals Panel New Report Recommends Public School Improvement Should Follow Procedures and Practices Established in DoD State and Overseas Schools Which Are Effective in Reducing Achievement Gaps in Eighth Grade Reading and Writing
- Online Education Consortium of States Announced to Initially Facilitate State's Sharing Test Questions Linked to State Objectives
- Principals' Involvement in Decision-Making Relating to Technology-Based Instructional Product Selection and Purchasing Likely to Increase
- USED Office of Chief Information Officer Initiates Outreach Effort for Education Technology Vendors
- New Adult Education Technology Laboratory to Identify and Evaluate Technology Effectiveness
- New National Center for Education Accountability Promoted as "The Country's Most Influential Center Working on Education Accountability"
- Many Title I Eligible, But Currently Not Served Schools, to Benefit From Likely Change in Title I Formula
- New Report Finds Number of Schoolwide Programs Continue to Increase
- New GAO Report Suggests Bureau of Indian Affairs (BIA) Schools is a Growth Market for Software, Professional Development, and Technology Support

### **December 2001**

- Consensus on ESEA Component Provisions Has Begun to be Released Prior to Any Vote by the Conference Committee as a Whole
- New NAEP 2000 Science Assessments Strongly Suggest Intensity and Type of Computer Use by Students Associated with Higher Scores
- National School Boards Association and Black State Legislators Join AASA in Opposition to Bush Proposed Accountability and Testing Changes in ESEA Reauthorization
- New Report by Democratic Leadership Argues a Combined \$25 Billion Education Deficit This Year Which is Designed to Pressure Republicans to Increase Federal Funds; Report Could Cause Investors' Support for Education Technology Firms to Decline Further

- New Benton Foundation Report Includes New Models and Policies to Maximize the Impact of the U.S. Investment in Education Technology and Specific Recommendations Regarding E-Rate
- New AFT Report “Making Standards Matter 2001” Acknowledges Some Success Among States in Implementing State Standards and Assessments But Identifies Serious Flaws and Needs Yet to be Addressed by States

## **2002 TechMIS Washington Update Topics**

### **January 2002**

- New ESEA Title VI, Part A, Flexibility and Accountability Provisions Affect All Revised/New Programs
- New Survey Finds Only Nine States are Likely to be in Compliance Currently with New ESEA State Annual Assessment Mandates
- New Report Identifies Almost 4,600 High-Poverty, High-Minority Schools that are Among the Top Third of Schools by State in Terms of Student Achievement on State Assessments
- The Results of a Survey Conducted by the National Association of Manufacturers Finds That New Employees or Potential Employees Lack Employability Skills and Suggest that a Higher Priority be Placed on Improving Adult Literacy
- Federal Judge Rules Against Settlement Proposed by Microsoft on the Basis that it would be Anticompetitive and Under-Funded
- New State Technology Directors Association Created with First Annual Conference Scheduled February 24-28

### **March 2002**

- Highlights of State Education Technology Directors Association/USED Conference on Technology Issues Relating to ESEA and FY 2002 Budget: February 24-26
- US Open e-Learning Consortia of States Could Be Bane Rather than Boon for Education Technology Industry
- NCTET National Summit on Measuring the Impact of Technology Ends Up Being a Major Promotion for Online Standards-Based Assessments and Data-Driven Decision-Making
- Districts with Large Increases in Title I Funds are Likely to Create or Expand Extended Learning or “Community School” Programs
- USED Early Childhood Longitudinal Survey Reports Findings of What Children Know at Kindergarten and First Grade Level Thereby Providing a “National Norm” Which Schools Can Use in Judging Effectiveness of Literacy/Reading Programs
- New Teacher and Paraprofessional Qualification Mandate in ESEA Creates Major Problems for Most Districts and Will Likely Consume Large Portion of Title I Increases Next School Year
- House Committee Approves Education Sciences Reform Act Which Would Affect the Organization and Direction of Research Efforts Currently Under Office of Education Research and Improvement

### **April 2002**

- Title I Purchasing Cycle Update
- State Applications for Reading First Funds Should Provide Specific Information Regarding Districts Which are Eligible to Apply and the Types of Reading Programs Districts Will Be Encouraged to Purchase and Use

- New Policy Papers Suggest the Nature of Changes Which are Likely to Occur in the Reauthorization of the Individuals with Disabilities Education Act of 1997
- Two USED New Initiatives Will Attempt to List Programs and Approaches Which Meet the Criteria for Being Based on Scientifically-Based Research; Vendors of Cutting Edge Technology-Based Products and Services Should be Concerned
- On April 8 the Deadline for States to Become Compliant with the 1994 Assessment and Accountability Mandates, Secretary Paige Claims that all States are Now in Compliance.
- States are Picking Up Some of the Funding Slack in School to Work Programs as USED Phases Out Federal Efforts
- Most Education Groups Agree on Proposed FCC Policy Change to Allow e-Rate Applicants to Determine Whether or Not to Use the BEAR Process

### **May 2002**

- Constitutionality of Important No Child Left Behind Provisions Likely to be Challenged in the Immediate Future
- USED Assistant Secretary Whitehurst Argues That Technology Vendors Should Cover Cost of Classical Experimental Control Studies of the Effectiveness of Their Products
- State Title I Directors Asking for a “Transition Period” in Implementing Major Title I Provisions Which Could Result in Some Time Extensions
- New Technology Counts 2000 From Education Week Addresses e-Learning and Technology Trends Which Can Be Useful in Developing Marketing and Sales Strategies
- New Bush Early Childhood Strategies Calls For Better Trained Head Start Teachers and Increased Accountability for Demonstrating Children’s Progress
- States Beginning to Notify USED that They Plan to Apply for State Flex Authority
- Report Estimates Less than Half of Eligible Districts File Reimbursement Claims Under Medicaid For Related Services For Special Education Students
- States Under Pressure to Spend New and Carry-Over Department of Labor Funds from Previous Years for WIA Youth Program
- SIIA Monthly Webcast on Online Assessments Provides Interesting Industry Perspectives But Fails to Address a Major Driving Force Behind Online Assessment
- National Center for Education Statistics Releases Estimates of K-12 Expenditures for 1999-2000 Representing a 6.2 Percent Increase Per Student
- State Fiscal Problems Likely to Continue in FY 2003

### **July 2002**

- Suggested Approaches in Targeting Schools Targeted for Improvement Under Title I
- Supreme Court Voucher Decision Likely to Spur State Legislation Next Year While Major Immediate Impact Will Increase Significantly Participation in Non-Public Schools in Providing Supplement Services Under New ESEA
- New ESEA Teacher Quality Requirement Provisions are Likely to Force SEAs and Districts to Transfer Funds Out of Technology Block Grant/Title IID

- Final USED Regulations on Consolidated State Plans Deals Technology Another Blow and Opens the Door Wider for Districts and States to Use Federal ESEA Funds to Supplant State and Local Funds Which Were Recently Cut
- Parents of Special Education Students Advice to Congress: Don't Overhaul IDEA, Just Tinker With Perceived Limited Problems and Uneven Implementation at the District and School Level
- NSBA Survey Finds Over 50 Percent of Districts Report Students Provide Technical Support for Technology Used in the District
- Think Tank Report Ranks States on Progress Toward Utilization of Digital Technologies
- More Participants in Remedial Programs in Colleges and Universities Suggest Good Opportunities, Especially in Two-Year Colleges
- USED Awards Education Leaders Council (ELC) \$3.5 Million to Help States Develop Model Action Plans to Implement No Child Left Behind Act
- The Instructional Materials Accessibility Act is Likely to be Enacted into Law Which Could Pave the Way for Section 508 Accessibility Standards Applying to Public Schools

### **August 2002**

- Number of Title I Schoolwide Programs Increasing to Almost 48 Percent of Title I Schools or Approximately 23,000 and Will Likely Receive a 20-30 Percent Increase Over the Next 12 Months
- Implementation of New ESEA Title I Provisions and Regulations Will Vary Significantly Among States and Faced With Uncertainties and the Lack of Guidance Many Districts are Deferring Purchasing Cycles
- According to a Recent USED Press Release Secretary Paige Touts Technology
- New AASA Report Strongly Suggests that a Significant Portion of the \$3 Billion Title II/Teacher Quality Funds Will be Used to Provide Financial Incentives for Highly Qualified Teachers to Transfer to Failing Title I Schools
- National Conference of State Legislatures Reports that State Budget Gap Will Deepen Next Year to Almost \$60 Billion From \$36 Billion Last Year, However K-12 Education State Budgets Overall Will Increase by Almost 5 Percent
- New ESEA Provisions Likely to Result in More Title I Funds Being Held in Reserve for Potential Transportation Cost of Homeless Children Which Will Further Defer the Purchasing Cycle for Other Products and Services
- E-Rate Update
- New SREB Report Challenges States to Use Alternative Means To Fund Web-Based Courses for K-12 Students
- New Reading First Initiative Also Includes List of Appropriate Assessment Instruments and Measures
- President's Commission on Excellence in Special Education Recommends Significant Changes in IDEA But Refuses to Make IDEA Funding Mandatory In Order to Provide 40 Percent of the Estimated Total Cost of \$78 Billion Annually



## **September 2002**

- New International Reading Association Position Paper on Evidence-Based Reading Instruction Will Likely Be Relied upon Heavily by Reading Specialists and Teachers in Selection of Products and Services for Reading First and Title I, More So than USED Guidance Related to Scientifically-Based Reading Research
- Federal, State, and Local Reading First Officials Provide Advice to Publishers
- USED Officials Appear to Be Relying on the National Assessment of Educational Progress to Reduce Wide Variations among States in AYP Criteria for Pass-Fail in Implementation of No Child Left Behind Provisions
- New Report from Influential Center for Education Policy Identifies Trends in State-Administered Exit Exams and Cautions Policymakers to Phase In Requirements for Students to Achieve Cut-Offs as Prerequisites for Receiving High School Diplomas
- New NCEO Report on Trends in Accommodation Policies among States in Providing Reasonable Accommodation for Special Education Students on State Assessments
- New USED Guidance on ESEA Title V Part A/Innovative Programs Give LEAs Sole Discretion of Allocating Funds Among 27 Authorized Uses; SEAs May Allocate 50 Percent of its 15 Percent Set-Aside for School Improvement
- Increased Cost of War Preparation and Conservative Pressures to Reduce Spending Suggest a Bleak Picture for Increased FY 2003 Appropriations for Education Generally, Although IDEA/Special Education Programs are Most Likely to Receive Another Significant Increase
- New USED Reorganization and Creation of Two New Offices Likely Designed to Do More than Improve Efficiency
- Some School Districts, Particularly Those in Oregon, Washington, Idaho, and North California, Will Receive Large Increases in USDA Funds Under the Secure Rural Schools and Community Self-Determination Act of 2000 Which Provides Opportunities for Telecommunications, Infrastructure, and Distance Learning Vendors
- New Survey Confirms Wide Variation in Implementing Certain Key Provisions in No Child Left Behind ESEA Legislation Law, Particularly Those Relating to Choice and Supplemental Services
- NCES Reports on First National Survey of Public Alternative Schools for At-Risk Students

## **October 2002**

- New NCES Survey on Internet Access Finds Significant Progress Being Made in High-Poverty Schools' Use of Broadband and Internet-Accessible Computer/Student Ratio
- Secretary Paige Denies that the "Analysis of Reading Assessment Instruments for K-3" Released Through the Institute for the Development of Education Achievement, University of Oregon, Represents an Approved List of Assessments For Use Under the Reading First Program
- Opposition to Certain Provisions in No Child Left Behind is Surfacing in Many Quarters Suggesting Some Changes Will Be Made Through Technical Amendments or the Regulatory Process
- Pro-School Choice Advocates Deride Public Schools for Placing Obstacles Before Parents to Minimize Exercising Their Choice Options Under New Title I

- The November Elections and Some Possible Scenarios
- House and Senate Reach Agreement on Reorganization of Office of Education Research and Improvement (Now the Academy of Education Sciences) Which Should be Signed by the President Into Law This Calendar Year
- Review Process for “Whole School” Models Being Initiated for Possible Selection for Use Under Comprehensive School Reform Demonstration Act and Inclusion in Catalog of School Reform Models
- New ESEA Provisions Affecting English Language Learners Suggests an Early Reality Check Needed to Minimize Major Future Problems
- Unfair Competition from the Federal Government Thrives Under the Bush Administration
- New Survey Finds that 12-17 Year Old Students Believe Online Learning Needs to Have More Activities Relating Daily Life to What is Learned in Classrooms
- New Law Expands Fair Use Doctrine to Take Into Account Digital Distance Learning
- New Congressional Democratic Survey Shows 45 of 50 States are Cutting State K-12 Funds by \$6.7 Billion From Projected Increases Needed for This School Year
- Influential Progressive Policy Institute (PPI) Recommends New Alternative Ways of Federal Support for School Renovation and Infrastructure Upgrades Calling for Changes of Quality Zone Academy Bonding Clinton Initiative
- School and Libraries Division Issues New List of Eligible Services Under E-Rate
- The Student’s Bill of Rights Act of 2002 (S. 2912) Would Require Removal of Disparities Among Schools and Districts in Terms of Resources, Including Access to Similar Levels of Technology Within Twelve Years

## **November 2002**

- New Draft Non-Regulatory Guidance On Title I Paraprofessional is Generally Good News for Publishers and Technology Vendors As More Funding Can Be Used For Training and Less Money Devoted to Testing/Hiring Only Highly-Qualified Paraprofessionals
- National Education Association (NEA) and American Association of Publishers (AAP) Report Findings From Their Joint 2002 Instructional Materials Survey
- New Trends Survey by Council of Great City Schools Finds Urban Educators’ Perception of Technology as a Pressing Need or Effective Reform Method is Diminishing But Suggests Other Opportunities for High-Demand Services and Marketing Opportunities
- Various Issues and Concerns Regarding Implementation of No Child Left Behind Addressed by Various National Education Associations During the 2002 Washington Symposium
- New Survey By Parent Advocacy Group Finds Over Half the States Are Not Meeting the New Supplemental Services and High Quality Teacher Reporting Requirements to Parents
- USED Draft Guidance on Transferability Authority Suggests That Funding Under Title II D (Technology) Will Be Transferred Into Targeted Title I Schools Use Funds for Improvement Activities But 25 Percent Must Still Be Used for Professional Development

- New Survey Ranks States in Using Technology to Improve State and Local Government Agencies' Services
- Abolition of Twelve-Hour Rule to Qualify for Federal Aid Should Assist the Student Population Which New NCES Report Says Currently Takes Greater Advantage of Distance Learning
- New Provisions in Education Sciences Reform Act (Formerly OERI) Eroded By President's Statement at Bill Signing
- \$50 Million Philanthropic "Power Up" Program Closes National Office Leaving Almost 1,000 High Tech Computer Labs and Centers To Fend for Themselves
- Planned Landmark Power 4 Kids Will Attempt to Assess Which Intensive Interventions and Techniques Cited by the National Reading Panel Work Best With Different Groups of Students Facing Specific Reading Difficulties Under What Conditions
- Momentum Toward Basic Universal Design Learning (UDL) Movement To Increase Accessibility Under Section 508 of the Rehabilitation Act Has Increased Significantly Over The Last Several Months
- National Center for Education Statistics Publishes New Handbook For Technology Users to Prepare, Collect, and Assess Information About How Technology Is Being Used in Their School System

## **2003 TechMIS Washington Update Topics**

### **January 2003**

- New Center for Education Policy Report Reflects Growing Consensus and Reality of Implementing the Spirit of NCLB: Provide States Flexibility to Target Unexpected Limited Federal and Shrinking State Funds on Those “Failing Schools” in Greatest Need
- New Survey Suggests Which States Provide More State Funds To High-Poverty Schools And Are Likely Not To Receive Major Budget Cuts In These Programs Next Year
- Most States Placing Lowest Priority on NCLB Provisions on Scientifically-Based Research and Desire Greater Flexibility in Subsequent Implementation
- FY 2003 Appropriations Update
- New Surveys Strongly Suggest that Much ESEA Funding Will Be Reallocated to Reduce the “Teacher Gap” Between Title I and Non-Title I Schools, In Some Cases at the Expense of Funding Used to Purchase Instructional Products
- New Bush Accountability System for Head Start Likely to Increase Demand for Products Used to Teach Numeracy and Literacy
- New USED Report on Estimated Funds Earmarked for Supplemental Services and Transportation by LEA is Misleading and Could Potentially Create Further Confusion at the District Level

### **February 2003**

- New Meta-Analysis of Controlled Evaluation Studies Finds Integrated Learning Systems Increase Achievement in Mathematics and Science Confirming Previous Meta-Analysis Conducted in the Early 1990s
- Bush Administration Proposes to Cut \$400 Million in FY 2004 from 21<sup>st</sup> Century Community Learning Center Program Based upon a New Evaluation Using Data Collected in 2000/2001 before New Academic and Enrichment Provisions Were Required
- Widely Publicized Report by Center for Public Integrity on Fraud and Abuse in the E-rate Program, Which is Based on an FCC Audit, is “Much Ado About Nothing”
- Technology Literacy Summit Fails to Address Major Problem: The Reality of USED Regulations vs. the Rhetoric of No Child Left Behind Regarding Technology-Related Provisions
- New Survey Identifies at Least 2,300 Targeted Schools Required to Offer Supplemental Services, Significantly Less Than the 8,600 Identified by USED Last Summer
- New Report Concludes Teacher Retention is Nation’s Most Serious Education Problem and Recommends Modern Technology to Improve Working Conditions and Support Learning Communities
- USED Promises More Clarification through Various Forms of Guidance Regarding Title I and Related Issues
- Administration’s FY 2004 Budget Proposal Likely “Dead On Arrival” But Clearly Indicates Administration’s Priorities
- ECS Data Base Summarizes State
- Policies Relative to No Child Left Behind Requirements

### **March 2003**

- Principles for Reauthorizing IDEA Proposed by USED Embellished upon by Assistant Secretary Robert Pasternack during CCSSO Meeting
- USED Released Proposed Regulations for Public Comment on Adequate Yearly Progress for Students with Significant Cognitive Disabilities and Parameters of Alternative Assessments for Certain Groups of Students
- New NCES Report Finds That, between 1996 and 2000, Students Who Use Computers in Science Instruction Scored Higher on National Assessment of Education Progress (NAEP)
- Nonpartisan Government Accounting Office (GAO) Recommends That Congress Eliminate Supplement Not Supplant (SNS) Requirement for Title I Schoolwide Programs Because Currently It Is “Unworkable”
- New NCES Survey Sizes Up the Public School PreKindergarten Market Niche
- NCES Report Finds Almost All Kindergarten Students Have Access to Computers Either at Homes or in Their Classrooms and Schools and Most Frequent Classroom Uses Were to Learn Reading, Writing, and Spelling; to Learn Math; and for Fun
- New American Federation of Teachers (AFT) Report Provides Profiles on State-by-State Initiatives and Standards for Pre-Kindergarten and Kindergarten Programs
- E-Rate Service Providers Call for a Lobby Effort to Increase SLD Staff in Order to Expedite the Application and Review Process While at the Same Time Preventing Fraud and Abuse

### **April 2003**

- New Insights on Reading First Gleaned from Reid Lyon, Director, National Institute on Child Health and Human Development and New Reading First Director Sandi Jacobs During SIIA Fly-In
- Practicing Researcher Calls Medical/Pharmaceutical Model Unworkable in Conducting Scientifically-Based Research in Public Schools and Provides Practical Guidance for Education Publishers and Developers
- New Report Concludes New York City After-School Programs Very Effective in Improving Student Math Achievement in Contrast to the Recent USED Evaluation Conducted by Mathematica, Which Was Used to Support the 40 Percent Reduction in Federally-Funded 21<sup>st</sup> Century Community Learning Centers’ After-School Program
- New Report by Rand Corporation Mathematics Study Panel Likely to Add Momentum to the Secretary’s Mathematics and Science Initiative
- Rural Schools and NCLB: Problems As Well As Opportunities
- SchoolMatch Urges School Districts to Initiate or Expand Certain Technology Applications Which Could Create an Increased Demand for Such Applications
- General Services Administration (GSA) is Proposing to Allow Public Schools and Universities to Purchase Multimedia and Other Products Now on the GSA List for Federal Purchases, Which Would Provide Vendors a Leg Up on the Section 508 Accessibility Problem
- E-Rate Update: FCC Adopts New Rules To Prevent Fraud, Waste, and Abuse and Includes Wireless Connectivity and Voice Mail as Eligible Services

### **May 2003**

- Government Accounting Office Estimates That the Cost of Implementing NCLB Assessment Mandates between 2002-08 Could Be As High As \$5.3 Billion Which is Higher Than Projected Federal Appropriations Provided to States; In Some States Opportunities for Statewide Contracts/Licenses for Specific Interventions/Remedial Programs Could Exist
- USED State Plan Approval Process Becomes a Critical Part of the Title I Legal Framework Often Overriding Provisions in the Law Which Will Result in Many Different State Title I Programs
- Minority-Voting Member of National Reading Panel Report Faults Policymakers for Misinterpreting and Misusing Findings and Recommendations to Advance Political Agendas
- Technical Advisors for the Mathematica After-School Study and After-School Program Advocates Claim That Proposed \$400 Million Budget Cut for 21<sup>st</sup> Century Programs are Based Upon Politics, Not Scientifically-Based Research
- Computer-Based Assessments Appears to be at a Critical Crossroad
- The Council for Exceptional Children Announces New Policy on Assessment and Accountability Calling for All Students with Exceptionalities to be Included in State Assessment and Accountability Systems
- New National Education Association (NEA) Position Paper Outlines Political Agenda for Critical NCLB Changes Which Support NEA at the Federal, State and Local Levels

### **June 2003**

- New Public Agenda Survey of Teachers Identifies Perceived Priority Training Needs and Includes Teacher Perception of What They Like and Don't Like About Assessments and Accountability
- Proposed FY 2004 Budget Update: Good News for 21<sup>st</sup> Century Community Learning Centers, IDEA/Special Education, and Math/Science Partnerships
- New NSSEA Market Segmentation Survey Finds That Almost \$8 Billion of Instructional Materials Sold to Schools and Teachers Went Through Dealer Channels in 2002
- USED Mistakes in Determining Preliminary District Title I Allocations and Late Guidance in May to SEAs Regarding How to Make LEA Allocation Adjustments Creates Additional Confusion Which is Resulting in Uncertainty and Therefore Postponed Purchases at the District Level
- USED Use of 1999 Census Data in Determining State Title I Allocations for Next Year, Benefits Most States While Negatively Impacting Two
- New Guide for Small and Rural Schools Recommends a Large Role for Technology to Assist in Implementing Several NCLB Provisions

### **August 2003**

- Use of Peer Review and Approval Process of State Plans Contribute to Uneven Implementation of Key NCLB Provisions Among States



- New Center for Education Policy Report on Trends and Impact of State Exit Exams Provides Clues How States and Possibly USED Will Cope With The Major Problems of Implementing Assessment and Related Provisions of No Child Left Behind
- New GAO Government Accounting Office Report Confirms that Most Title IIA Teacher Quality Funds Have Been Allocated by Districts for Retention and Recruitment Rather Than Staff Development
- USED Posts on its Website Final District-by-District Allocations of FY 2003 Title I Funding Along With Maximum Required Expenditures for Choice-Related Transportation and Supplemental Education Services Which Once Again is Going to Create Some Confusion Among Districts in States Where 2002-2003 Test Scores Will Not Have Been Available When School Opens in September
- USED Releases Final Title I Allocations Confirming Many States and Districts are Definite Winners But Substantial Numbers Are Receiving Significant Title I Budget Cuts for Next Year
- Critical Battle Over the Future of Head Start Programs Expected in September as Bipartisanship Fades
- State Funding for Preschool Programs Being Reduced in Most States for School Year 2003-2004
- New Early Learning Literacy Panel Analyzing Over 200 Published Research Studies to Attempt to Find the Best Programs or Interventions for the Development of Literacy Skills and Abilities
- Preliminary Design of National Evaluation of Technology Use Effectiveness Mandated by Congress Will Focus Narrowly on Reading and Math Improvement; Education Software Publishers Who Are Invited to Participate Should Consider the Risks Along with Possible Benefits
- Congress is Likely to Pass a \$250 Million Annual New Initiative to Improve Wireless Infrastructures in Minority Colleges and Universities as an “Unfunded” Mandate Imposed on the Cabinet Departments Who Openly Oppose It
- NCTET to Resurrect Monthly Technology-Related Policy Sessions.

### **September 2003**

Two Special Reports were sent to TechMIS subscribers in September: “Draft Final Regulations on Supplemental Education Services Has Implications for Firms Planning to Provide Supplemental Education Services Directly or Through Approved High-Performing Districts/Schools” and “End of Fiscal Year Purchasing Using Unspent Title I Funds.” The Washington Update topics included:

- Highlights of Education Leaders Council Annual Conference Suggest What Changes in NCLB Are Likely to Occur;
- Highlights of Annual NAFEP Symposium on No District Left Behind: Some Questions Answered But Many Others Evoked No USED Official Response or Answers that Conflict with NCLB Non-Regulatory Guidance;
- A General Mood of Apathy Among Education Lobby Groups Detected During the Annual Committee for Education Funding Gala Held in Late September;
- FY 2004 Education Appropriation is Likely to Include Lowest Increase in Several Years Unless Increases are Included in the Supplemental Proposal for Iraq Initiatives;



- New Special Education Expenditure Project (SEEP) Report Suggests Growth Opportunities in Special Education Niche Market;
- New USED Non-Regulatory Guidance on Allocation of Title I Funds for Private Schools Participating in Title I Further Reduces the Amount of Title I Funds To Be Used for “Non-Earmarked” Purposes;
- Growth of Distance Learning at Post-Secondary Level Likely to Receive Increased Momentum From Several Economic Factors Which Could Create Similar Growth at the High School Level; and
- Scheduled Release of NAEP Results in October will Contribute Even More to Confusion About Student Performance in Reading and Math.

### **October 2003**

This issue of TechMIS included State Profile Updates. Also included were two Special Reports: “Title I Funds Allocation Milestones and Purchasing Cycles” and “Special Report on Prior Year E-Rate Commitments Which May Offer Opportunities for Firms With Non-Eligible E-Rate Products and Services.” The Washington Update topics included:

- Secretary Paige Hints at Possible Policy Changes During Education Week’s Talk Back Live September 24;
- New Report on the Emergence of School-Based Staff Developers (e.g., Reading Coaches) Suggest Several Opportunities for Education Publishers, Providers of Staff Development, and Others in this Fast-Growing Niche Market;
- Social Security Administration “Experiment” Could Provide New Opportunities for Firms with Products Designed to Assist Students with Disabilities in Their Transition to Work or Postsecondary Education;
- New Initiative Underway To Help Districts Collect More Reimbursements for Related Services Provided to Special Education Students From Federal and State Medicaid Sources;
- New Brookings Institute Report Suggests Good Opportunities by Targeting Rural Schools and “Conversion” Charter Schools;
- Highlights of October 15 SIIA Webcast on “Finding Pockets of K-12 Funding”;
- National Governor’s Association Creates a Standing Committee on Education Which Suggests NGA Influence on Federal Education Policy and Funding Will Increase Significantly; and
- USED Technology Related Research Evaluation and Information Hearing of Interest to Many TechMIS Subscribers.

### **November 2003**

Two Special Reports were included in the November TechMIS issue entitled “Administration and USED Continue to Funnel Federal Funds to Pro-Choice Advocacy Groups Whose Increased Public Relations Missions Are Often at the Expense of Needed Federal Funds to Implement NCLB Provisions at the Local Level; Also Represents, in Certain Cases, Federal “Unfair Competition” With Private Sector Publishers and Technology Vendors” and “Special Report on Prior Year E-Rate Commitments Which May Offer Opportunities for Firms With Non-Eligible E-Rate Products and Services.” Washington Update topics include:

- State Legislators Address NCLB Implementation and State Budget Deficits: Education Technology State Funding Has Been One Casualty Although State K-12 Budgets for SY 2003-04 Look Better;
- Non-Partisan Public Agenda Survey of Superintendents and Principals Identifies Their Major Concerns and Suggests How Software Publishing and Other Education Publishers Should Approach Them;
- USED Inspector General Work Plan Indicates What NCLB Provisions Are Most Likely to be Included in Audits Over the Next Year; and
- Latest NCES Survey on Internet Access in Public Education Suggests Opportunities for Many TechMIS Subscribers.

### **December 2003**

State Profile Updates and a Special Report entitled “Proposed Senate Version of IDEA Reauthorization Has Positive and Possibly Negative Implications for Education Software and Supplemental Publishers” were included. Washington Update topics include:

- USED Final Regulations Allow Use of Alternative Assessments Aligned to Alternative Standards for Significantly Cognitively-Impaired Special Education Students Which Could Provide Opportunities for Certain Types of Products and Services;
- New Research Synthesis Finds After-School or Out-of-School Time (OST) Programs Improve Student Math and Reading Scores and Identifies Specific Strategies and Program Features Which Work Best;
- E-Rate Update: Uncertainties Contribute to Increased Paralysis and Raise Questions as to Future Support for the E-Rate Program;
- Issues and Concerns of State Education Technology Directors Along with Some Possible Solutions Which Could Involve Publishers and Technology Vendors Surface During the National Leadership Institute;
- New NCES Report Suggests Growth of Distance Learning-Delivered College-Level Remedial Courses;
- National Governor’s Association Suggests Improving Budget Situation Among States; and
- New National Center for Education Statistics “Issue Brief” Finds High Income Adults Participate in Professional Post-Secondary Education Delivered Through use of Technology Suggesting Growth Opportunities Exist for Low-End Participating Adults in Post-Secondary Courses.

## **2004 TechMIS Washington Update Topics**

### **January 2004**

Two Special Reports entitled “New USED Report Describes Current Services for Limited English Proficient Students Suggesting Some Opportunities for Publishers” and “Alternative Ways of Getting Your Share of ‘Supplemental Education Services’ Title I Funding for Purchasing Products and Services” were included in this issue. The Washington Update topics include:

- While NCLB-Related Pro and Con PR Campaigns Grow, Senate Leadership, Prodded by Key Education Associations, Formally Request USED to Revise Policies Regarding NCLB Implementation;
- FY 2004 Education Budget Has Over \$100 Million in Technology Related Earmarks;
- National Education Technology Plan and National Education Technology Evaluation Project: An Update;
- Recent Reports and Related Developments Suggest Increased Opportunities for Effective Programs and Practices at the High School Level; and
- Exhibitors at Florida Education Technology Conference Provided Advice and Guidance by Policy Influencers and District Officials on How to Take Advantage of Opportunities Under No Child Left Behind.

### **February 2004**

A Funding/Budget Alert and Special Report “Congress Finally Passes FY 2004 Education Budget While the Administration Proposes the FY 2005 Budget” were sent to subscribers in early February. The TechMIS issue in late February included State Profile Updates, a Special Report entitled “Release of Data On Numbers of Schools Failing AYP or Identified for Improvement Suggests Where Opportunities Exist” and the following Washington Update topics:

- Two Recent Studies Strongly Suggest That Districts Will Increasingly Provide Supplemental Education Services to Schools Identified for Improvement, As Well As Those Schools Failing to Meet AYP For One Year As a Preventative Measure;
- New Survey Identifies Opportunities for Staff Development at the District Level as Districts Implement Title II A Teacher Quality NCLB Provisions;
- New Center for Education Policy Survey Finds States and Local Districts Are Placing a Low Priority Generally on Implementing Scientifically-Based Research (SBR) Provisions in No Child Left Behind;
- Implementation of ESEA Title III English Language Acquisition at the State Level Varies Significantly and Presents Major Challenges;
- USED Officials Announce Policy Shifts Related to Parental Choice, Supplemental Education Services and Assessments During National Title I Conference;
- USED Regulations and Recent Non-Regulatory Guidance on Alternative Assessments Likely to Create Opportunities for Vendors of Certain Products; and
- Virtual Charter Schools Operated by For-Profit Firms Growing Without Much State Oversight or Accountability.

## **March 2004**

- New Report Describes How Title II D/Enhancing Education Through Technology State Grants Were Used During the First Year of Implementation
- Secretary Paige Points to Recent Regulatory Changes Allowed Under “Newly Found” Flexibility in NCLB Provisions Suggesting Other Policy Changes in the Future
- What Works Clearinghouse Officials Argue that the Primary WWC Mission is to Rate the Quality of Research and Evaluation Studies Rather Than to Identify the Most Effective Instructional “Interventions”
- Update on Title I Funds Allocation and Adjustment Process
- New Study Shows Career Academies Increase Earnings of Participants
- New Study Highlights the Needs of Most Intensive Student Technology Users
- Major Challenges Confronting Supplemental Education Service Providers Discussed During Education Industry Association Conference
- New Study Shows Influence of No Child Left Behind on Liberal Arts Subjects
- School Board Members and Superintendents Advise NSBA Exhibitors to Form Partnerships with Districts in Solving Challenges Created by No Child Left Behind;
- USED Officials and NCLB Advocates Address Implementation Issues Before Education Industry Investment Group
- Highlights of SIIA Washington Fly-In, Which Have Implications for Many TechMIS Subscribers
- Committee for Economic Development Report Highlights School Funding Policies that Can Lead to Improved Student Performance

## **April 2004**

- Council for Exceptional Children (CEC) Annual Meeting Strongly Suggests Increased Expenditures for Technology and for Special Education Products and Services in the Immediate Future
- States Seeking USED Approval for Exceeding the One Percent Cap on Alternative Assessments Suggest Growing Opportunities for Firms with Appropriate Products and Services
- Education Leaders Council and Its Following the Leaders Project Feeling Pressures to Change from Several Quarters
- National Council on Teacher Quality Recommends Phasing Out of State Standards and Use Student Performance as the Major Measure of Whether Existing Teachers Meet Highly-Qualified Requirements Under NCLB
- Growth in Online Teacher Collaboration Configurations Offer Opportunities
- Proposed FY 2005 K-12 Budgets in Nine States Lower Than Required by State Law or Otherwise Failed to Restore Previous Cuts
- New NCES Report Suggests Significant Growth Opportunities in School-Based After-School Programs for Academic Instructional Materials and Services

## **May 2004**

- Senate Passes Its Version of IDEA Reauthorization But Fails by Four Votes to Make IDEA Annual Increases Mandatory
- USED Special Education Expenditure Project Estimates that Over \$465 Million For Special Education Funds Was Spent on Specialized Equipment Such as Calculators, Desktop Computers in 1999-2000
- Lessons Learned and Best Practices on Implementing Successful Supplemental Education Services (SES) Identified by State, District, and Service Provider Officials
- State Budget Gaps Lessening Suggesting That Previous Cuts in K-12 Funding Could Begin to Be Restored in FY 2005
- The Newly-Formed North American Council for Online Learning (NACOL) Seek Participation of Content Publishers
- New Center for Education Policy Report on the Hidden Cost of High School Exit Exams Can be Used As Benchmarks for Pricing for Test Prep and Some Types of Supplemental Education Services

## **June 2004**

Two Special Reports were included in this issue: “NCLB Update” and “Special Report on Prior Year E-Rate Commitments Which May Offer Opportunities for Firms with Non-Eligible E-Rate Products and Services.” The June TechMIS issue included State Profile Updates and the following Washington Update topics:

- New Report Based Upon Afterschool Alliance Survey Findings Suggest Large for Pent-Up Demand for Afterschool Programs;
- USED Advice on Creating Strong Supplemental Education Services Programs Differs from Earlier Rhetoric About SES Providers;
- New Survey of District and School Officials Involved in Reading Programs Shows Impact of NCLB Scientifically-Based Research (SBR) Criteria on Program Selection Increasing As Does District-Level Decision-Making;
- Schools in at Least Ten States Could Benefit from Microsoft Anti-Trust Settlement if Consumers Failed to Claim Their Portion of \$1.1 Billion Value in Software Vouchers;
- New Report from the National Council on Disability (NCD) Provides Objective Summary of Varying Widely-Held Perceived Impacts, Both Positive and Negative, of NCLB on Special Education Programs and Students Which Should be Taken into Account by Sales Staff When Approaching District Title I and Special Education Officials;
- ISTE Symposia on Assessment and Technology During NECC from Which a Probable Scenario on Online Assessment and Instruction Will Evolve; and
- School District Decision-Makers Feel That Current Benefits of Administrative Applications Are Much Greater Than Instructional Applications Although These Same Decision-Makers Feel There is Much Greater Opportunity for Classroom Use in the Future.

## **July 2004**

The Washington Update topics in the July issue included:

- USED Publishes Notice Authorizing Districts with Schoolwide Programs to Consolidate Numerous Federal Education Program Funds While Exempting Them From Complying with “Supplement Not Supplant” Provisions Which Should Result in Even More Title I Funds Being Transferred Into Title I Schoolwide Programs;
- Education Commission of States Report on Implementation of NCLB Provisions Among States Finds Significant Progress over the Last Year for Certain Provisions While Its Recommendations Identify NCLB Provisions Which Are Likely to be Changed after November Elections;
- New Study Identifies States and Districts That Have High Schools with Low Graduation Rates and High Drop-out Rates;
- New Guide for Teachers on Selecting Computer-Based High School Science Curriculum Could be Useful to Publishers Planning to Help Districts Meet the NCLB Assessment Mandates for Science in 2007;
- National Conference of State Legislatures Report Projects K-12 State Expenditures for School Year 2004-2005 to Grow By Five Percent Nationally;
- USED Provides Notice of Proposed Rule-Making on Recent Non-Regulatory Guidance Changes It Has Announced Regarding Assessment and AYP for Certain Limited English Proficient Students;
- Highlights of Pending Federal Legislation, Which Could Be Addressed During a Lame Duck Session, Could Have Important Implications for Most Education Publishers and Vendors; and
- Administration Continues Argument that Federal Education Funding is Increasing More Quickly Than States Can Spend the Money.

## **August 2004**

State Profile Updates were included in this issue as well as the following Washington Update topics:

- Two Recent Reports Call For Increased Funding For Remediation for Students Failing or At-Risk of Failing High Stake State Assessments;
- New Guide for Rural Districts On Implementation of NCLB Provisions Strongly Urges the Use of Distance Learning;
- National File Format Technical Panel Recommends Technical Specifications for Voluntary National Instructional Materials Accessibility Standard (NIMAS) Which is Designed to Facilitate the Provision of Accessible Alternative Electronic Format Versions of Print Textbooks to PreK-12 Students with Disabilities;
- Education Associations Plan to Sue the Federal Centers for Medicare and Medicaid Services for Violation of the Social Security Act (As Amended in 1988) For Failing to Give Districts the Appropriate Level of Medicaid Reimbursements for Providing Related Services to Eligible Special Education Students;
- The Future of Qualified Zone Academy Bonds (QZAB) As A Source of Funding for Hardware, Software, and Curriculum Upgrades Is Uncertain Pending House and Senate Negotiated Agreement;



- House Appropriation Committee Markup Would Reduce Title II D Education Technology Grant Program From \$695 Million to \$605 Million and Terminate Star Schools and Community Technology Centers Funding;
- ISTE and Vantage Learning, Inc. Developing Eighth Grade Technology Literacy Assessment Instrument for National Use in 2005-06 School Year;
- New NCES Issue Brief Reports That Less than Three Percent of Elementary Teachers Are “Reading Specialists”;
- Momentum Builds for Reauthorization of New Perkins Vocational and Technical Education This Year;
- FCC Formally Adopts Rules to Safeguard E-Rate Program From Waste, Fraud, and Abuse; and
- New NCES Issue Brief Finds 2.2 Percent of School-age Students are Homeschooled, Up From 1.7 Percent in 1999.

### **September 2004**

Two Special Alerts were sent to subscribers on September 21 entitled: FY 2005 Federal Education Likely Appropriations Levels; and NCLB Amendment.

The TechMIS mailing dated September 30 included State Profile Updates and the following Washington Update topics:

- Chief Bush Architect of No Child Left Behind Act Provides Hints on NCLB Changes and Other Priorities Which Can Be Expected During the Second Bush Administration;
- Key NCLB Advocates and Policy Influencers Recommend Legislative Changes Based on Lessons Learned;
- Bipartisan Support, Even Among Presidential Candidates, for High School Reform Gains Front and Center Priority Overshadowing to Some Extent “Fixes” Needed for NCLB at the Elementary Level;
- States Refusal to Adopt American Board for the Certification of Teacher Excellence (ABCTE) Alternative Certification Approach Could Open Up Opportunities for Distance Learning Vendors to Partner with States or other State-Authorized Entities to Expand Their Alternative Route Certification Options;
- Strange Bedfellows Unite to Pressure House and Senate to Restore Proposed Budget Cuts for Title V in FY 2005;
- Probability of Passage of IDEA Reauthorization This Year Heightens as Recalcitrant Senate Appoints Conferees in a Surprise to the House Leadership;
- Supplemental Education Services Provided by Districts Which Are Identified for Improvement Becomes the Most Serious Immediate Issue for Districts and Firms;
- During the First Year Under NCLB “50% Transferability Provision,” Less than 1,500 School Districts Transferred Slightly Under \$30 Million According to SEA “Official” Reports to USED;
- New GAO Survey Confirms Growth in Technology Use by Rural Districts in Implementing NCLB Provisions; and
- National Center for Education Statistics Releases Data on K-12 Revenues and Expenditures for School Year 2001-2002.



## **October 2004**

- Conservative Fordham Foundation Calls for Abolishing Textbook Adoption Process and/or Radically Reform Processes Currently Used in 22 States;
- Association of American Publishers Holds First “English Language Learner” Summit: Highlights and Implications;
- New Council of Great City Schools Survey Finds Federal Title III English Language Acquisition Funding Has Increased Almost 110 Percent Among Member Districts After Passage of NCLB and Almost 20 Percent of Title III Funds are Used to Purchase or Develop Instructional Materials;
- Amid Confusion Regarding Why E-Rate Funding Commitments Have Been Frozen, There Are Negative Implications for Many Software Publishers;
- Education Trust First Comprehensive Trend Analysis of Student Achievement Under NCLB Finds in Most States Achievement Moves in the Right Direction But Pace of Improvement is Too Slow;
- Kerry Advisor Argues NCLB Isn’t Working as it Should Because it Hasn’t Been Funded as Promised and Implemented with Common Sense;
- Results of Association of Education Publishers Survey on the Impact of Scientifically-Based Research Provisions: Interpretation of Results;
- Follow-up Study of 21<sup>st</sup> Century Community Learning Centers Conducted by Mathematica Policy Inc. Finds Few Statistically-Significant Differences Between Treatment and “Comparison” Groups as Afterschool Advocates Reiterate Continuing Research Flaws with the Study Design;
- Increasing Number of Large Districts Identified for Improvement Are Being Forced to Consider Alternatives to Providing Supplemental Education Services Themselves; Otherwise Title I Funds Will Follow the Child to Third-Party SES Providers;
- USED Provides States “Guidance” on State and District Allocation of Title I Earmarks;
- New Report Identifies Fifteen Elements of Effective Adolescent Literacy Programs but Admits Little Evidence Exists Regarding How to Combine and Sequence Them for Effective Strategies; and
- National Center on Education Outcomes Finds Out-of-Level Testing for Special Needs Students Has Increased Even Though USED Policy Opposes Out-of-Grade-Level Testing for Determining AYP Under NCLB.

## **November 2004**

- Funding Alert: E-Rate Funding Commitment Letters (FCL) Previously Frozen Now Being Sent to Some E-Rate Applicants and List of Districts Receiving FCL Prior to August
- In New IDEA Reauthorization Congress Allows Use of Supplemental Instructional Materials Where Appropriate in Prereferral Early Interventions and Suggest Supplemental Materials Do Not Have to Meet the Gold Bar of Scientifically-Based Research that Core Curriculum Materials Must Meet
- Under White House Pressure Congress Passes 2005 Appropriations Act With Overall Lowest Increase of Less than 3 Percent Over FY 2004

Washington Update topics:

- Major Changes to State Accountability Plans As Approved by USED Suggest What States to Target for Certain Products and Services;
- During Recent National Leadership Institute (NLI), State Education Technology Directors Were Upbeat and USED Highlights the New Five-Year National Technology Plan;
- USED Finds Most Middle School Math Curricula Are Not Based on Scientific Evidence of Effectiveness Based Upon the First Report From the What Works Clearinghouse on Middle School Mathematics;
- E-Rate Funding Commitment Decision Letters for 2004 Funding Round Remain Halted Although Congress Might Pass Legislative Fixes When It Returns on December 6-7;
- Most New Charter Schools Use Federal Public Charter School Program (PCSP) Federal Dollars to Fund Professional Development and Purchase Technology; and
- Success in Preschool Market Requires Specific Targeting of States and Niche Markets Within States.

### **December 2004**

E-Rate Update: Congress Passes Bill Allowing USAC/SLD to Resume Sending Funding Commitment Letters for Approved 2004 E-Rate Applications

## **2005 TechMIS Washington Update Topics**

### **January 2005**

Special Report entitled: "President Bush Proposes \$1.5 Billion Initiative for Secondary Reforms to Help High Schoolers Succeed."

Washington Update topics included:

- USED Letter to Chief State School Officers Confirms Districts Identified for Improvement Cannot Provide SES but Allows States to Establish Certain "Parameters" and Flexibility Beyond Earlier Restrictions;
- New Toolkit for Supplemental Education Service Providers Offers Useful Hints on Critical Problem Areas;
- Administration's Priority on Early Intervention Strategies Continues to Grow But "Who Will Implement Them and How" Should be a Concern for Marketeers;
- New Study Suggests Instructional Practices to Reduce Achievement Gaps in Mathematics Between Minority Students and Non-Minority Students;
- USED Office of Inspector General Plans to Conduct an Audit of the Implementation of Supplemental Educational Services Provisions and Related NCLB Provisions Over the Next Year;
- New USED Funded Project Headed by Association of Education Service Agencies Could Aggregate Rural School Market for Online Instruction, Staff Development, and Other Services;
- Highlights of USED Recently-Released National Education Technology Plan 2004; and
- Under Secretary Spellings, USED Likely to Allow Schools Identified for Improvement for the First Time to Provide Supplemental Education Services in Lieu of Requiring Parent Choice for Transferring Students Out of Failing School.

### **February 2005**

This issue included the following Washington Update topics:

- President's Proposed FY 2006 Education Budget Would Increase Title I and IDEA Funding and Reallocate \$1.5 Billion From Existing Program Cuts of Over \$4 Billion to Secondary Reform Initiative;
- Administration Priorities Offer Opportunities in Specific Areas With Federal Niche Markets;
- New Senate Committee Chairman Enzi Takes a Lead Role Proposing Changes to Supplemental Education Services Provisions in NCLB;
- Most States Are Seeking Amendments to Their Accountability and Assessment Plans to "Fix" Problems Created by NCLB Provisions and USED Interpretations: New State Strategies Range From "Hard Data" to NCLB Provisions Which Could Implode the Act;
- As More Large Urban Districts Are Identified for Improvement and, Therefore Under Current USED Regulations Cannot Continue Providing SES, AFT and NEA Affiliates Are Likely to Become Major SES Providers in Some Districts; and
- Reauthorization of Perkins Vocational and Technical Education Act Likely on a Fast Track in Congress Under Momentum of the President's Proposed Secondary Reform Initiative.

## **March 2005**

- House Republican Leadership Releases Guide to "Frequently Asked Questions" about Newly-Reauthorized IDEA Which Should Establish the Framework for USED to Write Regulations;
- National Conference of State Legislatures Points Out Flaws in NCLB, Recommending over Forty Changes; Those Recommendations Based on Common Sense and Reduced Cost Burdens on Districts Are Most Likely to Be Seriously Considered in the Short Run;
- Assistant Secretary Susan Scalfani Suggests Opportunities for Technology Use in the Proposed Middle School/High School Initiative;
- USED's NCLB Negotiations with Texas, California, and Utah Has Implications for Many Firms;
- Fifth Annual Education Industry Association Conference Focuses on Supplemental Education Services Issues; USED Promises New SES Guidelines Would Be Released Shortly;
- USED/Institute of Education Sciences Director Russ Whitehurst Tells Education Software Publishers "We Have A Long Way To Go" on the What Works Clearinghouse, Inviting Comments and Suggestions;
- USED Secretary Spellings Encourages Parochial Schools to Consider Becoming "Providers of Supplemental Educational Services";
- Majority of Internal Reading Association Members Agree with the Basic Premise of NCLB But Strongly Disagree that Federal Funding Has Been Sufficient, and Strongly Disagree about the Effectiveness of NCLB Sanctions, with the Exception of Supplemental Educational Services and Afterschool Programs;
- National Center for Education Statistics Releases the First Nationally-Representative Study of Use of Distance Education by K-12 Districts Which Can Be Useful in Developing Marketing and Sales Strategies for Firms with Certain Products and Services;
- NCES Study Describes Trends in Internet Access in American Public Schools; and
- Secure Rural Schools and Community Self-Determination Act Being Reauthorized by the Congress.

## **April 2005**

- No Child Left Behind is at a Crossroads With Likely Opportunities Emerging Out of a Current Chaotic Situation;
- USED Policy to Increase the Proficiency Cap For Special Education Students Achieving Proficiency on Alternative Tests and Conditions States and Districts Must meet For Approval Will Create New and Expanded Opportunities For Some Firms;
- State Special Education Officials Are Unclear About the Intent of New IDEA Provisions For Prereferral or Early Intervening Services and Are Awaiting USED Guidance;
- State Superintendents' Meeting With Secretary Spellings, Assistant Secretary Simon, and Other USED Officials Strongly Suggests Additional Flexibility Will Be Provided to States Once Details Are Thought Out by Task Forces and Stakeholders Buy-In;
- Chairman Boehner Argues that School Districts That Are "Under-Achieving" Should Not Be Eligible to Offer Federally-Funded Tutoring But Concedes that the final NCLB Law Leaves That Decision Up to the Secretary of Education;

- Center for Research in Educational Policy Releases Report on Suggested Means by Which States Can Evaluate Supplemental Educational Service Providers;
- New Center on Education Policy Reports that the Average Number of SES Providers Available to Students Almost Tripled Since 2003, While the Percent of Eligible Students Actually Receiving SES Has Remained About the Same Over the Last Three Years;
- Slightly Over a Half Billion Dollars of School Improvement Funds Could Provide Opportunities for Firms Which Have Whole School Reform Curricula/Programs and/or Provide Effective Staff Development and/or Other Services for Schools Identified for Improvement, Which Do Not Require Re-Occurring Costs After One Year;
- NCES Survey Provides Spending Data for U. S. Public Schools;
- The Finance Project Reports on Professional Development Expenditures in Urban Districts; and
- Technology Advocacy Update.

### **May 2005**

A Special Report, “Between \$600 and 800 Million in Title I Funds Likely to Be Spent this Summer, Mostly by June 30” was sent to subscribers on May 16.

On May 31, the TechMIS issue included a Special Report entitled, “Changes in E-Rate Program Are Likely” along with the following Washington Update topics:

- “Technology Counts 2005” Reports on State Funding and Related Trends: Looking Behind the Numbers;
- USED Provides Guidance to States on General Conditions Which Have to Be Met for States to Provide Alternative Assessments and Proficiency Standards for Two Percent of Students with “Academic Disabilities”;
- Secretary Spellings Announces Options Under Which States Can Receive Additional Flexibility in Meeting AYP for “Cognitively Disabled Students”: Implications for Firms will Likely Vary Among States;
- Even Though the President’s Proposed Secondary Reform Initiative Hasn’t Received Much Congressional Interest in Passing New Legislation, the Administration Continues to Fund Critical Components of the Secondary Reform Initiative, Finding Funding Opportunities in Existing Programs;
- The Reauthorization of Head Start Appears to be on a Fast Track in Congress, But White House Support is Unclear;
- Highlights of SIIA Education Technology Summit Meeting; and
- USED Attempts to Clarify Rules for “Obligating” Unused Title I Funds and Procedures for “Liquidation” of Such Unspent Funds Through Federal Withdrawals.

### **June 2005**

“House Appropriations Subcommittee Restores 60 Percent of President’s Proposed Cut in E<sup>2</sup>T<sup>2</sup> Technology Funding While at the Same time Rebukes Most of the President’s Proposed Secondary Initiatives” Special Report was dated June 14, 2005.

A second Special Report, “USED Publishes Draft IDEA Regulations: Opportunities Exist for Certain Types of Products and Services But Purchasing Cycles Will Vary Among States” was sent to subscribers on June 30, 2005.

### **July 2005**

This issue included State Profile Updates, a Special Report entitled “New SES Non-Regulatory Guidance From USED Provides Greater Flexibility Which Could Create Expanded Opportunities for Some TechMIS Subscribers,” and the following Washington Update topics:

- USED Slowly Approving Some Requested Amendments to State Plans and Generally What They Mean;
- Illinois State Policies on SES Conflict With New USED Guidance – Resolution Could Establish Precedent;
- Standard & Poor’s Study of Urban School Districts Addresses “Myths” of Urban Education; and
- Highlights of Association of Education Publishers Meeting.

### **August 2005**

This TechMIS issue included a Special Report entitled, “Reading First Prescriptive Mandates Have Already Impacted Education Agencies and Have the Potential for an Even Greater Impact in the Future.” Washington Update topics included:

- Senate Appropriations Committee Rejects Administration’s New Initiatives and Restores Many of the Administration and House Proposed Funding Cuts Thereby Increasing the Probability of the FY 2006 Education Budget Being Included in a Multi-Agency Omnibus Bill Which Will Include Across-the-Board Budget Cuts;
- Senate Appropriations Committee Report Goes Beyond the Numbers by Communicating Congressional Intent to USED;
- New Government Accountability Office (GAO) Report Confirms Newly-Created Opportunities in What States for Products and Services to Assist States in Implementing Alternative Assessments for Academically-Disabled Students or “Gap Students”; and
- Education Industry Association (EIA) Eduventures Conference Addresses Opportunities in High School Reform and New IDEA Special Education Niche Market.

A Special Report entitled “Districts with Over-Representation of Minorities in Existing Special Education Programs Must Allocate 15 Percent of IDEA Funding for Prereferral or Early Intervening Services” was sent to subscribers on August 16, 2005.

On August 30 the TechMIS issue included State Profile Updates as well as the following Washington Update topics:

- New Center on Education Policy Survey Finds Funding and Other Support for Remediation and Exit Exam Test Preparation Increasing With Significant Growth in Use of Online Delivery;
- New USED Non-Regulatory Guidance on Alternative Assessments and Achievement Standards for Students With Significant Cognitive Disabilities Not Only Provides



Flexibility for Districts in Key Areas But Also Can Create A Demand for Certain Products and Services;

- New USED Guidance Is More Prescriptive on Allowable Uses of Title II A Teacher Quality Than Earlier Guidance;
- New First-of-its-Kind Study Finds SES Afterschool Programs in Chicago Increased Reading Scores Beyond Expectations for Lower Achieving Students and That the CPS-Operated Afterschool Program Was the Most Cost-Effective, Providing a Justification for CPS Once Again to Request that USED Allow the CPS-Operated Program to be Continued Using Title I Funds;
- Phi Delta Kappa/Gallup Poll Finds Increased Parent Resistance to NCLB Generally and Specific Components Involving Them Directly; and
- NCES Analysis Describes Characteristics of Public School Teachers' Professional Development Activities.

### **September 2005**

September 7 – Special Report - “Secretary Spellings Issues First Waivers Providing Greater Flexibility in District Implementation of SES Provisions Which Could Create Greater Opportunities for Firms Wishing to Partner with Districts.”

September 20, 2005 – Special Report – “Emerging Federal Policy Changes Will Affect Education in States Impacted Directly or Indirectly by Katrina.”

September 28, 2005 – Special Report – “Opportunities for Online Solutions To Meet District Challenges Created by Katrina and Rita Appear to be High, Although Subtle Policy Changes Could Have Direct Impact.”

### **October 2005**

Dated October 5, this TechMIS report included State Profile Updates and the following Washington Update topics:

- Secretary Spellings Announces New Flexibility Options for Districts Impacted by Hurricanes in Calculating Adequate Yearly Progress and School Improvement Sanctions/Deadlines;
- New Research Priorities for the Institute of Education Sciences Reflect Subtle Policy Changes and Could Have Direct Implications for Some Education Publishers;
- New Survey Finds Teachers Perceive Technology as Having An Increasing Role in Their Activities, Particularly Administrative Functions; and
- Education Funding Anxieties and Confusion Over Hurricane Relief Policies Dampens the Mood of the Committee for Education Funding Gala.

October 25 - Special Report - USED Reverses SES Policy Trend by No Longer Allowing Affiliated Entities of Florida Districts Identified for Improvement to Operate SES Programs.

Dated October 31, this TechMIS report included State Profile Updates and the following Washington Update topics:

- Government Accountability Office Investigation of Reading First Approval Process of State Plans and Subsequent Implementation Will Have Significant Implications on

Current and Future Reading First Activities and Will Likely Influence Other Education Initiatives;

- Katrina Relief: Funding Update;
- Good-Faith Reprieve by USED for States Not Likely to Meet Highly Qualified Teacher (HQT) Requirements Next Year Could Create Opportunities for Certain Products and Services;
- Administration Places a High Priority on Reducing the Minority Achievement Gap Over All Students Being Proficient by 2014;
- Government Accountability Office Criticizes USED for Not Implementing Its 2002 Recommendation to Evaluate and Disseminate Existing Research on Effective Middle and High School Interventions to Reduce Dropout Rates, Particularly Inadequate Dissemination of Programs That Have Been Rigorously Evaluated;
- Year 2 Case Studies of Supplemental Educational Services Actual Implementation Uncovers Some Surprising Findings; and
- USED Places Higher Priority on Data-Driven Decision-Making Technology Tools and Services Allocating Small Business Innovation Research Funds and Possibly Title II D E<sup>2</sup>T<sup>2</sup> State Technology Grants for Such Purposes.

## **November 2005**

November 8 - Title I Funding Alert

November 18, 2005 - E-Rate Update and FY 2006 Appropriations

November 30, 2005 - The TechMIS report included State Profile Updates and the following Washington Update topics:

- New Report Highlights K-12 Online Learning Trends Regarding Enrollments, Course Offerings, Online Instruction Policies, and Expenditures; However, Opportunities for Publishers and Technology Vendors Can Only Be Inferred From Overall Growth Trends;
- New GAO Report Concludes More Districts Are Using Title II A, Teacher Quality Funds and Title I Funds for Professional Development -- A Trend Likely To Continue Over the Next Couple of Years;
- New USED Publication Provides Rationale for Newly-Found “Flexibilities” Under the Spellings Regime and Points to Additional Options Available to States and Districts in the Very Near Future;
- State Expenditures for State Pre-K Expenditures Increased Slightly Over 20 Percent to \$3.5 Billion Over the Last Year With Increases of More Than 30 Percent in Ten States Pointing to the Emergence of a Growing Niche Market in the Future;
- Many States Await Issuance of USED Guidance on “Modified Assessments” for Special Education Students Under the So-Called “Two Percent Cap” Flexibility; Opportunities Will Increase for Firms Which Can Work With States in Selecting/Developing Modified Assessments and Directly Related Interventions;
- New International Reading Association Collaborative Identifies Suggested roles for Middle and High School Literacy Coaches Who Will Increasingly Become Important Influencers/Decision-Makers In Selecting Instructional and Related Programs; and

- FCC Releases Eligible Services List For Funding Year 2006 Opening the Window for Eligible Entities to Submit Applications Beginning on December 6, 2005.

**December 2005**

December 23, 2005 - Funding Alert - FY 2006 Appropriation Passed

## **2006 TechMIS Washington Update Topics**

### **January 2006**

January 5, 2006 - This TechMIS mailing included State Profile Updates. Washington Update topics include:

- Administration Likely to Propose a New Math/Science Initiative Designed to Make U.S. More Competitive in the Global Economy;
- Early Intervening Services Update: Large Districts Are Most Likely to Be Required to Allocate 15 Percent of IDEA Flow-Through Funds for Early Intervening Services;
- New Report Identifies Emerging Practices and Issues Related to State Assessments Involving Special Education Students;
- USED Publishes Draft Regulations for Comment on Use of Modified Assessments and Standards Aligned to Grade Level Content for Students With Academic Impairments and, Without Much Fanfare, Allows Greater Flexibility for Districts In Other Areas Which Should Reduce the Number of Schools and Districts Identified for Improvement;
- USED Outlines Functionality of Multi-Year Individualized Education Program Model and Proposed Requirements and Selection Criteria for Up to 15 States to Participate in Multi-Year IEP Demonstration;
- USED Releases Updated and Expanded Consumer Guide on Selecting Comprehensive School Reform Models, While at the Same Time Pushing Congress to Cut All funds for Comprehensive School Reform Demonstration Act, the Major Funding Source, in Spite of Positive Evaluation Findings of the Effectiveness of CSRD By the Office of Management and Budget;
- Education Week Webcast Online Chat on the Problems and Potential of Computer-Based Tests (CBT), Including Online Assessments, Points to a Promising Future for Certain Types of Assessments;
- Hurricane Relief Amount to \$1.6 Billion for Schools Which Were Damaged or Enrolled Displaced Students Passes As Part of Defense Department Appropriation;
- FY 2006 Appropriations Update; and
- New Study From the National Governors Association Highlights State Spending.

### **February 2006**

February 2, 2006 - TechMIS mailing included State Profile Updates as well as the following Washington Update topics:

- State K-12 Funding Increases Will Soften Blow of Federal Title I Cuts in Only a Limited Number of States;
- Title I Budget Cut for FY 2006 and District Funding Allocation Uncertainties Strongly Suggest Firms Should Target Districts with Relatively Large SES, Choice, and Professional Development Earmarks;
- New NCES Report on Student Enrollments, Staff, Schools, Charter Schools, and Other Topics by State Could Assist Firms in Identifying Priority Targets for Certain Products and Services;
- If Passed By the House, the Academic Competitiveness Grants Program Designed by the Senate to Encourage More Students to Enroll in Math and Science Post-Secondary

Courses, Could Impact Local and State Prerogatives in Designing/Selecting High School Curriculum, Possibly Creating an Increased Demand for Rigorous Distance Learning Courses;

- Two Resources Should Assist Firms in Positioning Products and Services for Use in Prereferral Interventions Under the “Early Intervening Services” Provision of IDEA; and
- USED Placing Higher Priority on Title I Monitoring; Audit Findings in a Number of States Over the Last Two Years Suggest Areas Where Opportunities May Increase.

### **March 2006**

March 1, 2006 - State Profile Updates were included in this TechMIS mailing and a Special Report entitled “Bush’s Federal Education Current and Proposed Budgets go From Bad to Worse.” The Washington Update topics included the following:

- Recent State AYP Data Suggests That Fewer Districts Are Being Identified for Improvement Thereby Providing Slight Increases in Opportunities for Partnering with Districts to Operate Their own SES Programs; However, the Number of Schools Identified and Having to Provide Supplemental Educational Services Doubled over the Last Year Which Also Suggests 20 Percent Earmarks for SES Will Likely Be Actually Spent;
- During Education Industry Association Congressional Briefing, Private Providers Call for Improved District-Independent SES Provider Relationship to Ensure Better Recruitment and Improved Attendance While at the Same Time Downplaying the Effects of Federal Education Funding Cuts;
- Education Industry Association Releases Results from SES Providers’ Survey;
- The Congressional Research Service Issues a Status Report on Reading First Implementation Issues and Controversies;
- New Report Could Help Firms With Specific Products and/or Services Identify Priority States to Target to Take Advantage of Opportunities Created by New USED “Flexibilities” and “Policy Changes” Related to NCLB; and
- Rumblings and Reflections Gathered From the AASA Exhibit Floor and During Superintendent Receptions.

March 20, 2006 - Special Report entitled “Preliminary Title I Allocations to Districts Receiving Significant Increases.”

### **April 2006**

April 1, 2006 - This issue featured the following Washington Update topics as well as State Profile Updates.

- Mixed Signals and Messages During the Recent Education Industry Association Education Summit and Discussions With Congressional Staff Point to the Need For Further Changes in NCLB Supplemental Educational Services Policy;
- Highlights of Major Issues Related to Technology Use Discussed During the Software & Information Industry Association Fly-In and Congressional Visits, March 7-9;
- Highlights of Council of Great City Schools Legislative Summit Includes No New USED Policy Changes But Strongly Hints at Several Which Are Likely to Occur Shortly;

- District Mood Toward NCLB Consequences Changes From Anger to Slight Resignation With Prospects for Amendments No Earlier Than 2008; and
- New SETDA Report Identifies Trends on How E<sup>2</sup>T<sup>2</sup> Title II D Funds Are Being Used and SEA Priorities in Competitive Grants.

## **May 2006**

May 1, 2006 - This issue featured State Profile Updates and the following Washington Update topics:

- Two New Studies Report Findings on State and District School Improvement Strategies and Interventions Which Are Felt to be “Very” or “Moderately” Successful in Schools Identified for Improvement;
- New USED Non-Regulatory Guidance Envisions Schoolwide Programs as the Top Priority Reform Strategy and Vehicle for Increasing Student Achievement for All Students Mandated Under NCLB;
- NCSL Reports Solid State Fiscal Conditions;
- Report from U.S. Census Bureau Provides Much Useful Information on the Finances of Education;
- USED Policy Letter to Chief State School Officers Allows More States to Adopt “Same Subject, All Grade Levels” Option for Identifying Districts in Improvement Which Could Increase the Number of Districts Providing Their Own Supplemental Educational Services;
- Findings from Two New Studies Support Some Arguments Made By *Success For All* and *Reading Recovery* in Their Legal Complaints About USED Implementation of Reading First, Filed with the Office of Inspector General at USED Which is Currently Investigating the Allegations;
- Seventy-Two National Education Groups Agree Upon Recommended Changes in NCLB While Several Very Influential Groups Reveal Different Priorities and Intents;
- New USED Supported “Research-to-Practice Database” Identifies Academic and Behavioral Interventions That Work With Students with Certain Disabilities;
- New Academic Competitiveness Council Initiates Review of more Than 200 Math and Science Education Programs Among Thirteen Other Federal Agencies With the Intent to Improve their Alignment with NCLB, or to Identify Effective Practices or to Eliminate Some????; and
- New USED Guidance on Academic Competitiveness Grants and Recent Award of State Scholars Grants to Eight New States Could Increase the Momentum for Districts Adopting More “Rigorous High School Course of Studies.”

May 19, 2006 - SES Policy Update Alert

## **June 2006**

June 1, 2006 - State Profile Updates and the SES Policy Update Alert were sent to subscribers along with the following Washington Update topics:



- New USED Guidance Encourages More Private Schools to Provide Supplemental Educational Services for Eligible Title I Students Which Could Create Expanded Opportunities for Firms to Develop Partnerships with Private Schools;
- New USED Study Confirms Targeting of Schools Identified for Improvement as Best Prospects for New Adoption/Purchasing of Math or Reading Curricula;
- National Math Panel Created by Executive Order With Expert Panelists Finally Appointed;
- In a Policy Shift, What Works Clearinghouse is Posting Abstracts of Evidence on the Effectiveness of Interventions From Studies Which Are Less Rigorous than the “Gold Bar Standard” of Randomized Trials;
- The Nonpartisan and Influential NCTQ New Report Finds Only 15 Percent of Teachers’ Colleges Have Courses That Address the Five Essential Components of Scientifically-Based Reading Instruction and Recommends That Elementary Teachers Should Be Required to Pass a Test in Reading to Achieve “Highly-Qualified Teacher” Status;
- While USED Awards \$30 Million in Grants Under the Official Striving Readers Program, An Additional \$89 Million Will Be Awarded in Grants Under the Smaller Learning Communities Program For Use and Evaluation of Similar Reading and Math Interventions for Struggling High School Students;
- Almost Half of the Governors Named Early Childhood Education As a Priority in Their State-of-State Addresses;
- Technology Counts 2006 Findings Confirm Some Trends But Is Confusing in Certain Areas; and
- New Report Could Help Firms With Different Types of Products or Services Decide What States and Districts to Target.

June 7, 2006 - Federal Spending Alert entitled “USED Non-Regulatory Guidance Clarifies Conditions Under Which Unspent Earmarks for SES and Staff Development Can Be Reallocated to Purchase Other Title I Allowable Products and Services.”

### **July 2006**

July 1, 2006 - This TechMIS issue included State Profile Updates along with these Washington Update topics:

- Policy Highlight From AEP Education Summit; and
- While Only a Few States Have Requested USED Approval for Selected Districts to Provide SES Before the Parent Choice Transfer Option, Opportunities for Partnering with Some Districts Which Operate Their Own SES Program Could Exist.

July 21, 2006 - A Special Report entitled “Final Federal Title I Allocations to Districts Receiving Significant Increases Before State Adjustments” was sent to subscribers.

### **August 2006**

August 1, 2006 - State Profile Updates and the following Washington Update topics were included in this issue:

- First Study of Implementation of Reading First Provisions Identifies Differences Between Reading First Schools and Non-Reading First Title I Schools and Suggests Some Emerging Trends;
- USED Approves and Extends States' and Limited Districts' Requests for Flexibility I Implementing Supplemental Educational Services;
- USED Attempts to Clarify When an Entity "Affiliated" With the District Which Has Been Identified for Improvement is Allowed to Provide Supplemental Educational Services;
- Two Recent Surveys Identify Increased Demands/Preferences for Certain Types of Professional Development and Formats for Supplemental Materials;
- Possible Legislative Changes to Telecommunications Act, Universal Service Fund, and E-Rate Addressed During National Coalition for Technology in Education and Training (NCTET) Policy Briefing;
- Bipartisan Legislation Introduced to Ensure School Districts Continue to Receive Medicaid Reimbursements for Cost of Related Services For Most Special Education Students Which Counters Bush's FY 2007 Budget Proposal to Cut Over \$600 Million For Transportation and Administrative Reimbursements;
- While Senate Appropriations Committee Restores Many of the FY 2007 Budget Cuts Proposed by the President, the Impact on District's Overall Title I Programs Will be Significant With Opportunities Limited to Firms with Specific Types of Products and Services; and
- Education Week "Diplomas Count - An Essential Guide to Graduation Policy, and Rates" Provides Good Snapshot of Graduation Requirements and Alternatives to Regular Diplomas, But Due to Lack of Depth, is Misleading in Certain Areas.

August 7, 2006 - Special Report - "IDEA Final Regulations Would Allow, Where Appropriate, Supplemental Materials To Be Used in District Early Intervening Services, While States and Districts Appear to Have Greater Flexibility in Selecting and Using Response-to-Intervention Approaches in Determining Whether a Student has a Specific Learning Disability (SLD).

## **September 2006**

September 1, 2006 - State Profile Updates were included in this issue as well as the following Washington Update topics:

- Center on Education Policy Reports that, of the 25 States With Exit Exams, 14 Fund Remediation and Student Support to Help Students Pass Exit Exams, While 18 States Require Districts to Offer Remediation;
- New GAO Report Recommends that USED Consider Allowing More Districts Identified for Improvement to Enter Into Flexibility Agreements to Provide their Own SES;
- USED Plans to Expand Its NCLB Monitoring and Enforcement Activities Redirecting its Focus to Student Progress in Meeting Universal Proficiency While at the Same Time Addressing Technical Aspects of Implementation;
- Annual Phi Delta Kappa/Gallup Poll Reports that Two-Thirds of the Public Feels that the Overall Impact of NCLB is Hurting or Making No Difference in Public Schools in Their Community and Strongly Supports Alternative Strategies for Implementing the Law;

- NCES Reports on Expenditure Data for Public K-12 Schools and Percentages Devoted to Instruction; and
- NCSL Report on State Budget and Tax Actions Shows Most States on Solid Economic Footing.

A Special Report entitled “USED Has Released Its Annual Report on Federal Title I Allocations for Eligible Students for Every District Which, in Combination With Other Data, Should Help Firms Decide What States and Districts to Target” was sent to subscribers on September 1, 2006.

A Special Report entitled “Suggested Ways to Select Districts and Schools For Targeting” was sent to subscribers on September 21, 2006.

### **October 2006**

October 1, 2006 - State Profile Updates were included in this issue as well as the following Washington Update topics:

- USED Office of Inspector General Investigative Report on Reading First Confirms Most Allegations; However, Much of the Impact Has Already Occurred;
- The Vast Majority of Reading First Districts With Increases in Reading Performance Attribute Increases to Reading First Instructional Programs and Reading First Assessment Systems;
- Proposed Bills Would Amend Certain Supplemental Educational Services Provisions and Related USED Policies;
- Education Week's Third Annual “Leading for Learning” Special Report Estimates of the Number of Districts Identified for Improvement by States Suggest States in Which Districts Provide Potential Opportunities for Partnering for SES and Staff Development;
- Charter School Movement Likely to Continue to Grow and is Gaining Traction in Certain Communities by Increasing Enrollment or Market Share Significantly;
- USED Final Title I Regulations Affecting English Language Learners Allows Former Limited English Proficient Students’ Test Scores to be Counted as Part of the LEP Subgroup for Determining AYP Calculations for Two Years After They Leave the Program;
- New Issue Brief From Alliance for Excellent Education Estimates Expenditures for College Remediation is \$1.4 Billion With Community Colleges Bearing the Greatest Share of Remediation Burdens; and
- The International Reading Association and the National Council of Teachers of English Have Created the Literacy Coaching Clearinghouse Which Will Likely Become the Major Information Source on Effective Practices and Products for the Growing Number of Reading Coaches Around the Country.

A Special Report “USED Recalculation of Title I District Allocations” was sent to subscribers on October 10, 2006.

## **November 2006**

November 1, 2006 - State Profile Updates were included in this issue as well as the following Washington Update topics:

- Veteran Education Policymaker/Observer Christopher Cross Shares Views on Policy Changes in NCLB if Congressional Leadership Changes;
- The National Association of State Boards of Education Guidelines For Reauthorization of ESEA Reflect Grave Concerns Over Federal Intrusion Upon State Policy Making;
- Chief State School Officers Policy Statement for NCLB Reauthorization Would Focus on “Every Child a Graduate”;
- Highlights of SIIA/AAP School Technology Summit;
- New Afterschool Alliance Survey Finds Funding for Afterschool Programs Has Been Reduced in Almost 50 Percent of Sites and Identifies the Impact on Activities and Students Served;
- The International Reading Association (IRA) Calls For Further Investigation by the Department of Justice of Reading First Program While Going Live With the New Literacy Coaching Clearinghouse Website;
- USED’s Policies for Releasing Research-Based Evidence on the Effectiveness of Instructional Interventions and Products Continue to Vary Considerably: Education Practitioners/Decision-Makers Question the Usefulness and Credibility of Reports While Developers/Publishers of “Effective” Interventions Could be Short-Shifted;
- State Funding for Pre-K Education Will Increase By \$450 Million in 31 States in Fiscal Year 2007;
- E-Rate Update: Filing Window to Open November 14 and New Eligible Services List (ESL) Released; and
- States Make Slow Progress in Conducting Evaluations of SES Programs While Increased Student Participation Rates and Help for SES Providers Remain USED’s Top Concerns.

November 8 and 12, 2006 - TechMIS Special News Flash - New Report From the USED Office of Inspector General Recommends That More Districts Identified for Improvement be Allowed to Provide Supplemental Educational Services.

## **December 2006**

December 7, 2006 - This TechMIS mailing included State Profile Updates and the following Washington Update topics:

- New Report Identifies Districts with the Highest Degree of Over-Representation of African-American Males as Mentally Retarded, Which Strongly Suggests These Districts Will Reallocate at Least 15 Percent of Their IDEA Funds for Early Intervening Services This Year;
- Superintendents and Principals Identify Their Greatest Needs for Improving Teaching and Learning: More Professional Development and Better and More Timely Test Data -- and They Appear to Be Willing to Increase Funding into These Areas;
- Study Confirms Rapid Growth in Online Learning, with 38 States Having Either State-led Online Learning Programs or Significant Policies Regulating Online Education: Accelerated Growth in Enrollment Expected;

- Achievement Gap Findings Could Provide Strong Justification for Certain Changes in NCLB Reauthorization;
- New Study Recommends that USED Provide Greater Blending of Federal Funding Streams and Changes in the Ways Which Supplemental Educational Services Can Be Used to Increase Afterschool Programs at the High School Level;
- USED Official Reiterates State's Role in Providing Guidance in Implementing Response to Intervention (RTI);
- Education Funding and NCLB Reauthorization Implications Stemming from November 7<sup>th</sup> Elections;
- New Initiatives and Increased Priorities of Some Existing Programs Will Be Critically Influenced by New Committee Chairpersons;
- Council of Great City Schools Presents Recommended Changes during the Reauthorization of NCLB;
- Survey of Employers Finds New Entrants to the 21<sup>st</sup> Century Workplace Are Deficient in Applied Skills; Particularly for Students Only with High School Diplomas and Suggests the Need to Refocus NCLB Priorities; and
- Gates Foundation Gives Nearly \$10 Million Grant to Communities in Schools to Expand Network of Non-traditional High Schools.

## **2007 TechMIS Washington Update Topics**

### **January 2007**

January 4, 2007 - State Profile Updates were included with the January report as well as the following Washington Update Topics:

- Chairman of Both Appropriations Committees Call for a Year-Long Continuing Resolution with Some Funding Level “Adjustments” Rather Than Reopen the Debate on an FY 2007 New Appropriations Bill;
- While Title II D -- Enhancing Education Through Technology -- Will Likely Continue to be Funded at FY 2006 Levels, Other Programs’ Streams of Funds Which Could be Used to Purchase Technology and Related Products and Services Face an Uncertain Future;
- E-Rate Update: Districts and Libraries Which Potentially Could Use E-Rate Refunds to Purchase Non-Eligible Products and Services;
- New National Center for Education Statistics Report Shows Growth of Internet Access in Public Schools and Classrooms over the Last Decade;
- Education Week Reports that 15 Percent of Schools and 12 Percent of Districts That Are Rated for AYP Purposes Are in Need of Improvement;
- Recent Surveys of State Fiscal Conditions Show Continued Improvement in State Budgets;
- New Request for Proposal by Institute of Education Sciences for Continued Operation of the What Works Clearinghouse Suggests Significant Changes Which Could Benefit Many More Publishers and Reduce Costs and Other Burdens Placed on Publishers;
- New Commission Report Concludes that US Education Has to Undergo Fundamental Changes if our Workforce is to Compete in the Global Economy, Recommending New Roles for States and Teachers; and
- New Report Identifies New Roles for District Professional Staff in Implementing Response to Intervention (RTI) Approaches: In Approaching Districts One Has to Take Into Account Which District Office or Professional Group is Taking the Lead Role.

### **February 2007**

February 7, 2007 - State Profile Updates were included with the February report as well as the following Washington Update Topics:

- Administration proposes FY 2008 budget which would increase Title I funding, especially for high schools, and provide more funds for supplemental educational services which could have positive implications for many publishers;
- Congress very likely to increase the Federal FY 2007 budget for Title I and Special Education suggesting that some districts may be spending unused Title I funds at the end of this fiscal year rather than carrying over funds to next year;
- USED announces its priorities for NCLB reauthorization which could provide increased flexibility for schools and districts to operate their own SES programs and to initiate SES before the parent choice option;
- While Washington insiders feel NCLB reauthorization is not likely until 2009, Senator Kennedy unveils a bill which has likely provisions to be included in his proposed NCLB reauthorization and calls for immediate action;



- New Center on Education Policy study highlights status of each state’s assessment and accountability system and includes recent requested changes which could be used by TechMIS subscribers to identify immediate opportunities or provide explanations for delays in certain states;
- National study of the effects of teacher incentives based on student performance finds positive results: in light of recent large increases in Federal and state funding for such initiatives, firms partnering with districts should consider teacher profit sharing arrangements;
- Business Coalition for Student Achievement calls on Congress to strengthen and improve NCLB provisions and funding and to do so this year; the Coalition could have a major influence on reauthorization;
- States proposed specific NCLB reauthorization changes which would erode the rigidity of Federal rules and encourage states to create innovative, sound approaches; and
- Promising practices for effective remediation to help students pass exit exams are surfacing and suggest the format and content for instructional materials for publishers to seriously consider.

### **March 2007**

March 6, 2007 - State Profile Updates were included with the March report as well as the following Washington Update Topics:

- Recommendations made by the NCLB Commission which taken together represent a major overhaul of the Law and represents an almost unanimous consensus by all of the bipartisan Commission members which suggests it will gain significant traction perhaps as the “framework” for reauthorization this year;
- The Fourth Annual Survey of the State Education Technology Director’s Association (SETDA) describes how Title II D funds are being used by states and districts which reflect emerging state priorities, especially in the areas of acquiring effective curriculum, hiring of technology coaches and technology use in formative assessments;
- The latest Office of Inspector General Report which continues to identify USED’s lack of controls over the early implementation of the Reading First Program, but most critically recommends that Congress and USED as part of the reauthorization clarify whether reading programs eligible for use in Reading First have to have “scientific evidence of effectiveness” which could reopen the debate on Scientifically Based Reading Research (SBRR) once again. The first of several planned studies under the National Education Technology Trends study, which like the SETDA study focused on Title II D state grants, identifies trends related to technology literacy and provides a state-by-state snapshot of state technology initiatives through the Fall 2004;
- A new Head Start survey reports that the one percent cut in Federal Head Start funding has impacted services, including purchases of instructional materials and supplies and has reduced the amount of critical training and professional development provided;
- USED Office of Inspector General has found that hurricane relief and recovery funds were appropriately allocated to states and districts over the last year and a half, yet large amounts in certain states remain unexpended, including over \$400 million in Louisiana alone which could be used to purchase, among other things, textbooks and instructional materials destroyed in the disasters;

- E-Rate update includes districts which may receive E-Rate refunds as a result of appeals being found to be meritorious; if requested under the BEAR process, such discounted refunds can be used to purchase software staff development and other non-eligible E-Rate non-eligible products and services.
- Preliminary findings from a soon to be published SETDA report on the amount of state funds and state budget line items dedicated for technology use and the types of activities in purchases using such funds.
- New National Technology Trends Study of the Implementation of Title II D State Technology Grants Program Identifies Trends Related to Technology Literacy and Includes a Snapshot Profile of Each State in the Fall of 2004.

This issue includes a special report entitled “Highlights of SIAA Ed Tech Government Forum Reflect Consensus on Several Policy Trends, While Divergent Views Are Expressed on Technology Opportunities in K-12 Education.”

**March 30, 2007** - A Special Report entitled “Preliminary Title I Allocations to Districts Receiving Significant Increases” was sent to subscribers.

### **April 2007**

**April 2, 2007** - State Profile Updates were included with the April report as well as the following **Washington Update** Topics:

- A new survey by the Center on Education Policy found that most SEAs are using criteria in NCLB provisions to approve providers; only a limited number of states have adequate staff and funds to monitor the effectiveness of SES providers on student performance; this problem was addressed in two conferences (see related items) in March and has grown to be a major problem nationwide which will have to be addressed in technical amendments and certainly the reauthorization;
- The Council of the Great City Schools recommends major changes in Supplemental Educational Services and Parent Choice for NCLB reauthorization with a greater emphasis on comprehensive school improvement planning and longer intervention periods before having to restructure;
- Consensus appears to be building among Administration officials and Capital Hill leaders on several changes which should be made before or during the ESEA/NCLB reauthorization;
- Title I Directors’ morale is up as increased appropriations are expected, however during the NAFEPA Conference, districts reported different implementation strategies for key provisions, such as Supplemental Educational Services and New Response-to-Intervention (RTI) Requirements under IDEA;
- During Education Industries Association (EIA) Washington meeting leading industry officials expressed different policy views on proposed USED policy changes recommended by the Office of Inspector General Recent Report;
- Senate and House Budget Committees have increased budget caps for FY 2008 by \$3-6 billion dollars resulting in an improved outlook for the 2008-09 school year;
- The Government Accountability Office (GAO) reports that Reading First has improved reading instruction while at the same time confirming findings recently reported by

USED's Office of Inspector General on USED mismanagement, but adds little in-depth analyses which many expected it would;

- A new survey conducted by the Sloane Consortium finds that K-12 district administrators expect online/blended student instruction will continue to grow;
- Both House and Senate committees passed proposed Head Start reauthorizations which, if passed by the full Congress, could affect the demand for certain types of products and services, such as online professional development; and
- The NIEER Annual Yearbook reports that total state spending on Pre-K increased by \$380 million to almost \$3.3 billion in 2005-06, although the amount of funding per child served has declined by more than 17 percent after inflation adjustments since 2001.

## **May 2007**

May 1, 2007 - State Profile Updates were included with the May report as well as the following Washington Update Topics:

- Based upon its most recent NCLB Annual Survey, the Center on Education Policy calls for a significant increase in Federal education funding if NCLB goals are even close to being met and provides strong justifications. Its findings also reinforce the targeting recommendations in the March 30 TechMIS Special Report in which we identified districts receiving increases in Title I funding, many of which are in states which in the recent past have received Title I funding cuts;
- USED releases the first year results of the randomized experimental control study of technology-based interventions which shows no significant differences in students' academic performance; some of the findings were predictable because of the overall study design, lack of teacher buy-in regarding specific interventions, in adequate time for correct implementation, and the way the results were reported. The impact on USED policy and priorities and on funding approvals by Congress are unclear;
- The influential Education Trust recommends that NCLB's fundamental elements be protected in the reauthorization while at the same time proposing significant changes, including more funding and quality teacher resources for schools and districts that have the greatest need for improvement. It recommends the creation of a \$750 million curriculum development fund, increased high-quality professional development, and increased funding for a longitudinal data system that would allow states to tie a student's achievement to a specific teacher and his or her characteristics;
- The National Governor's Association Coalition, which includes CCSSO and NASBE, would preserve NCLB goals, provide states greater flexibility and reinforce the states' responsibility for education, while constraining Federal intrusion. NGA's high priority on high school reform would also be included as new amendments to NCLB;
- During its April Annual Legislative Conference, the Council of Chief State School Officers (CCSSO) was briefed on NCLB reauthorization proposals from the NCLB Commission, the National School Boards Association and USED officials to solidify support for agreed-upon changes. During sidebar discussions with the co-chairman of the NCLB Commission, former Governor Roy Barnes, and Deputy Secretary of Education Ray Simon, both felt changes would be made in USED policy which would allow more districts identified for improvement to continue providing SES or extended learning/after-school programs. According to some observers, CCSSO might support the NSBA

proposal (HR 684) -- which is of a “fix it” nature -- as a set of temporary “technical amendments,” if the NCLB reauthorization does not occur this year;

- USED finally releases final regulations on modified assessments for so-called “gap students” in special education (i.e., the 2% cap), which could create opportunities for firms with certain products and services -- including computer-based assessments and training of teachers and IEP team members in identifying students needing modified assessments and interventions -- which could increase reading and math scores of minority students inappropriately placed in special education under early-intervening services;
- The Tenth Annual Technology Counts Report by Education Week indicates that trends in the use of technology are showing some progress, but significant variations in certain areas exist among states. As in the past, we suggest that some of the data collected in the annual survey or otherwise used from other sources may be incomplete and misleading;
- The Council for Exceptional Children proposed reauthorization would make early-intervening services a general education -- not special education -- implementation responsibility, while at the same time creating a separate set-aside funding stream within Title I; if passed by Congress, this would not only provide additional funding, but also ensure greater coordination and collaboration between district-level Title I and special education offices;
- A coalition of associations with vested interests in middle schools recommends that Congress and the administration create a national middle school policy by redirecting its emphasis in the NCLB reauthorization; many of the coalition’s recommendations, particularly the creation of Math Now, are being passed by Congress as separate legislation which could be amended to NCLB during final reauthorization.

## **June 2007**

June 1, 2007 - State Profile Updates were included with the June report as well as the following Washington Update Topics:

- The traditional special education funds allocation and purchasing cycle will change as more states provide guidance to districts in implementing early intervening services and response to intervention provisions under IDEA which will create opportunities in certain districts. One new purchasing cycle should begin early this summer in time to use interventions for borderline students to determine whether they should be placed in special education before December 1<sup>st</sup>, when the official state “counts” are reported to the state to generate state funds for special education students.
- A detailed description of the funds allocation process for Title I and special education which can be used to counter the Administration’s argument that funding increases in Title I and special education provide opportunities for purchases of instructional software and materials. This article can also be used by marketing officials to “educate” higher level corporate officials about the reality of Federal funding beyond what’s reported in the press.
- The impact of Reading First investigations and hearings appear to be surfacing in several quarters beyond the conflict of interest findings and could have an impact on the timing of NCLB reauthorization and/or technical amendments which “fix” Title I including Reading First.

- National Instructional Materials Accessibility Standard (NIMAS) Update: The new USED “anticipatory access” policy would allow Accessible Media Producers (AMPS) access to publishers’ electronic files which are sent to the NIMAC before LEA and SEA contracts are signed which could increase possible copyright violations. As a result some states are “opting out” not going through the NIMAC due to potential copyright liabilities, while other states are going beyond just working with NIMAC but are also bringing additional pressures on publishers to ensure instructional materials are grounded in “universal design principles,” which will continue to increase the developmental cost of products.
- Supplemental educational services, one of the Administration’s flagship priorities, is likely to receive additional funding and priority in the NCLB reauthorization as a result of groundwork being laid by the Administration and its allies in Congress. Congressional leaders appears to accept the concept and are proposing ways to improve the process and increase participation rates of eligible students.
- The third-year evaluation of the Chicago Public Schools SES tutoring program concludes that the district-operated program is by far the least expensive and demonstrates significantly more improvement in student math and reading achievement than many other more expensive providers. This could bring additional pressures upon USED to change its current policy and allow many more districts identified for improvement to operate their own SES program, thus creating opportunities for firms to partner with such districts.
- During a recent SIIA Webcast, several comments by officials involved in the USED Study of the Effectiveness of Reading and Math Software Interventions raised additional questions about the study design as implemented and the validity of findings. By failing to analyze all the data collected on the “fidelity” of implementation of each intervention, important reasons for the reported findings might not have been considered. The findings suggest that USED is not equipped to conduct such a massive study and that firms should be skeptical about participating in any such future studies.
- USED plans to fund the creation of an institute designed to evaluate web-supported instruction for students with disabilities, possibly creating opportunities for firms that have web-based instructional programs evaluated by an independent third party. This planned institute is much smaller and better focused using multiple outcome measures and alternative evaluation designs than the above USED study. Moreover, USED officials currently responsible for its creation are seasoned veterans of technology use in special education.
- New report by Center on Education Policy finds vast majority of SEAs unable to provide technical assistance and support to the increasing number of districts and schools identified for improvement because of inadequate Federal and state funding, however, increased Federal funding for SEA capacity building could come at the expense of district Title I operational programs.
- Census Bureau Report Highlights Public School Spending in 2005; State Funding for Special Education was Nearly \$15 Billion With Almost \$6 Billion for Compensatory Education.

**June 13, 2007** - Special Reports entitled “House Appropriations Subcommittee Proposes to Increase Title I Funding by Almost \$2 Billion, While Cutting Reading First Over 50%:

Now the Negotiations Begin” and “Notification of Final State Title I Allocations Made to States” were sent to subscribers.

## **July 2007**

June 29, 2007 - State Profile Updates were included with the July report as well as the following Washington Update Topics:

- The recommended FY 2008 appropriations mark by the Senate subcommittee which would increase Title I and IDEA, but reduce Reading First by only 20 percent compared to the 60 percent cut proposed by the House;
- The new report by the Center on Education Policy found that achievement scores have increased and gaps between groups of students have narrowed slightly since 2002 in states with comparable test data. However, despite disclaimers by CEP that such increases should not be attributed only to NCLB, the findings have generated enough interest to spur the momentum for NCLB reauthorization sooner than later;
- Provisions in the Republican “State and Local Flexibility Improvement Act” would generally provide greater flexibility in the use of Federal funds; however, the real question is whether districts can or otherwise will take advantage of such flexibilities, if enacted;
- USED plans to convene a forum on Response to Intervention in December which would give state officials an opportunity to share plans, while providing guidance and support to districts and to unveil the details of the new “Center on Response to Intervention” which is supposed to provide technical assistance to states;
- The Advisory Committee for Safe and Drug-Free Schools and Communities has submitted recommendations which would strengthen the “principles of effectiveness” provision requiring activities to be based on positive evidence and expand state activities to identify best practices;
- The National Governor’s Association reports that states can expect tighter budgets in 2008 due to declines in expected revenue;
- USED Institute of Education Sciences plans to create a Center on Instructional Technology to develop and evaluate media-rich applications, including gaming to improve academic performance of middle and high school students; ;
- New report analyzes dropout/graduation rate problems differently from most prior reports and identifies possible new opportunities.

July 11, 2007 - A Special Report entitled “Special Marketing/Sales Alert” was sent to subscribers.

## **August 2007**

July 31, 2007 - State Profile Updates were included with the August report as well as the following Washington Update Topics:

- USED releases its reviews of SEA annual performance reports on implementing IDEA which indicate extremely wide, state-by-state variances in the degree to which early intervening services provisions are being implemented to meet compliance requirements. The highlights of these reviews should help subscribers determine which states have or



will have significant numbers of districts which will have to reallocate up to 15 percent of their IDEA funds, because of disproportionality, for early intervening services/response to intervention activities;

- Results of a Rand study on the impact of supplemental educational services on student achievement will likely ensure continuation of SES in NCLB reauthorization, although a host of changes are likely to occur. Results were released during the June Summit on SES/Parent Choice which addressed practical problems and challenges rather than policy;
- Republican and Democratic NCLB reauthorization proposals suggest agreement on major changes, but reflect differences in others. Most changes would benefit most TechMIS subscribers;
- The Institute of Education Sciences released one of its first “practice guides” which could influence the types of materials and professional development purchased by districts. This guide which follows many of the “pillars” and guidance provided initially for Reading First, focuses on recommended best practices for English language instruction for English language learners at the elementary level;
- A recent White House Executive Order, with accompanying OMB guidance, will not only lengthen the amount of time for approving USED Non-Regulatory Guidance, but perhaps more critically will ensure that the President’s priorities and interpretation of new laws passed by Congress are reflected in the guidance. USED relied extensively on NRG to determine what provisions and laws to enforce and its interpretation is reflected in the guidance of what the law means, even though Congressional legislative intent may conflict;
- Center on Education Policy reports that under NCLB districts have devoted more instructional time to subjects which are tested and changed curriculum within these subjects to emphasize materials covered on state assessments;
- Transferability provision in NCLB are not being used by vast majority of districts, but those that do, use reallocated funds for specific priorities. SEA’s policies and priorities have the most significant influence over whether districts take advantage of the 50 percent transferability provision and to what they reallocate funds;
- House votes large increases in Title I and IDEA special education funding for FY 2008;
- New survey identifies effective strategies used by states, SEAs and districts that are perceived to be effective in improving schools identified for improvement suggesting opportunities for products and services which can be used to implement such strategies.

**August 21, 2007** - A Special Report entitled “Final Federal Title I Allocations to Districts Receiving Significant Increases Before State Adjustments” was sent to subscribers.

### **September 2007**

**August 28, 2007** - State Profile Updates were included with the September report as well as the following Washington Update Topics:

- House Education Committee Chairman George Miller outlined six principles underlining the House proposed NCLB reauthorization, noting, “There are no votes in the U.S. House of Representatives for continuing the No Child Left Behind Act without making serious changes to it.” Drafts of the proposed bill are being circulated, staff are negotiating details with education groups and a final bill will be submitted next month;

- Teacher related issues will become a major focus of the NCLB reauthorization debate as conflicting data raise questions about the rationale for some of the proposed strategies which include: teacher pay based upon performance, incentives for teacher retention, and the definition of highly qualified teacher requirements;
- What Works Clearinghouse review of beginning reader programs finds ten interventions have positive or potentially positive effects in four outcome main areas. The study of widely-used basal curriculum products, particularly in Reading First, will be included in the next review. Reading Recovery and Success for All were among the highest rated;
- USED expands flexibility for using the SES 20 percent set-aside into national pilot programs. Clark County, Nevada joins Anchorage, Memphis, Hillsborough County and Boston in being allowed to operate their own SES program and can use one percent of the set-aside for administrative purposes. Additional districts will most likely be allowed to provide SES before the parent choice transfer option;
- Math Now components of the recently enacted *COMPETES* bill recently signed by the President are less prescriptive and differ in several other respects from Reading First “model”; products must be research-based and have a demonstrated record of effectiveness; secondary Math Now program would increase funding for professional development for mathematics coaches;
- NCS publishes its annual report on revenues and expenditures of public school districts. Per-pupil expenditures for instructional programs vary from 76 percent in Alaska to 55 percent in Arizona. Twelve of the largest 100 school districts spent at least 70 percent of the expenditures for instruction;
- The tax foundation report identifies states in which districts are more dependent on Federal revenues from a variety of sources, which in turn suggests what states to target if the House proposed FY 2008 appropriations becomes law, which is the largest proposed increase for Title I in decades;
- A new issue brief from the Institute of Education Sciences suggests the levels at which early intervening services are needed most to reduce over representation of minorities in special education programs and the types of schools needing products and services to serve students in disability subgroups which are failing to meet AYP; rural districts provide some unique opportunities for partnering as they provide their own SES, especially for special education student subgroups;
- New Center on Education Policy study finds that less than 10 percent of states and districts feel highly qualified teacher requirements in NCLB have improved achievement or teacher effectiveness to a “great extent.” However, other somewhat surprising findings point to several opportunities, including content related professional development funding out of Title I and data systems for SEAs.

**September 4, 2007** - A Special Report entitled “USED Has Released Its Annual Report on Federal Title I Allocations Per Eligible Student for Every District Which, in Combination With Other Data, Should Help Firms Decide What States and Districts to Target” was sent to subscribers.

**September 12, 2007** – Two Special Reports were sent to subscribers: “House’s Proposed NCLB Reauthorization Would Place a High Priority on Incorporation of Early Intervening Services/Response-to-Intervention Model into Title I Programs Which Would Codify USED

Existing Policy in Non-Regulatory Guidance” and “Battle Lines Being Drawn by the Administration and Congress on Changes to the Supplemental Educational Services (SES) Provisions in NCLB Reauthorization; Final Negotiated Settlement is Difficult to Predict, Although in the Final Analysis, Congress will Likely Side with the Proposed “Working Draft” of Miller/McKeon NCLB Reauthorization Proposal.”

## **October 2007**

September 28, 2007 - State Profile Updates were included with the October report as well as the following Washington Update Topics and the September 12<sup>th</sup> Special Report was attached:

- Recommended changes to the Miller-McKeon working draft made by influential policy groups, some of which could be used to arrive at compromises in the final legislation regarding SES, differential treatment, and AYP calculations.
- Guiding principles which House Minority Leader John Boehner argues should underlie the NCLB reauthorization. As the most influential Republican in the initial passage of NCLB, Boehner’s direct involvement could expedite the final negotiations and drafting of key provisions, which would garner more support from neo-conservative Republicans.
- Impressions we gleaned from discussions related to NCLB changes, budgets and other matters during the Annual Committee for Education Funding Awards Banquet on September 20<sup>th</sup>.
- A new report from the Government Accountability Office (GAO) which identifies the types of activities undertaken by SEAs and districts with schools in corrective action or restructuring, suggesting increased opportunities for curriculum replacement and professional development. The number of such schools has increased from 2,790 in 2005-06 to 4,509 during the last school year. The report suggests what states and cities and what types of schools to target (contact us if you would like to obtain the list of these schools).
- A new CEP study that shows that districts in states with exit exams fund remediation, while SEAs provide technical assistance; various district activities to help the students pass exit exams suggest opportunities for firms.
- Several regulatory changes have been announced by the Administration which would reduce the State Child Health Insurance Program and Medicaid reimbursements to school districts; if implemented, these changes could reduce purchases of instructional software and materials using IDEA freed-up resources. Congress is proposing a significant increase in funding for SCHIP and placed a moratorium on proposed regulatory changes made by the Administration. Whether Congress can override the promised Presidential veto is unclear.
- According to the most recent Survey of Superintendents, the impact of NCLB on public education has been “very detrimental” versus “very beneficial” by a factor of more than 5:1. Sales staff should be made aware of superintendents’ concerns and preferred alternatives.

**October 24, 2007** - A Special Report entitled “Updated List of Districts Receiving Mostly Unexpected Increases in Title I Funds this Year of 20 Percent or More Which Are Likely to Be Spent on Non-Staff Salary Items” was sent to subscribers.

## **November 2007**

October 30, 2007 - State Profile Updates were included with the November report as well as the following Washington Update Topics:

- A legislative amendment has been submitted by key Senators which would replace “scientifically-based research” by “research-proven,” the operational definition of which would give preference to certain reading programs purchased under Title I and Reading First. The research-proven definition could be applied to school improvement grants under Title I which should be allocated to districts with schools in corrective action and restructuring, an amount which will likely increase from \$125 million this year to \$500 million in 2008.
- Another proposed Senate amendment to ESEA/NCLB would fund a new initiative to create and evaluate “core” programs, which could be used for school improvement, restructuring and supplemental educational services under Title I, including Reading First. Funds would be limited for not-for-profit organizations to develop and evaluate such programs using large-scale, randomized evaluations.
- Assuming the President will veto the House-Senate FY 2008 appropriations bill, which is likely to be \$3-5 billion more than the President requested, direct negotiations between Congressional leadership and the White House will likely result in moderate to major increases in Title I and moderate increases in IDEA special education, with Reading First being a casualty for at least one year.
- Beyond the numbers, the final language in the FY 2008 appropriation bill will reflect Congressional priorities and concerns which could have significant implications for some publishers. In S 1710, the Title I purchasing cycle will be affected and implementation of NIMAS could be heightened which could represent a significant cost to education publishers and possibly reduce copyright protections.
- A new report from The Rural School and Community Trust reports that nearly half of all English language learners (ELL) enrolled in U.S. public schools are enrolled in rural districts with the rate of growth very high. The report also includes relevant expenditures for English language learners and individual state profiles which could help firms target states and districts within states which have been experiencing significant growth in ELL enrollments and have available funding.
- A follow-up report from The Center on Education Policy explains why SEA officials feel most NCLB provisions have had little positive effects on student achievement and identifies a number of changes SEAs are planning to make in order to implement assessment and accountability provisions, which could provide some opportunities for firms with relevant products and services.
- New USED guidance to SEAs places a high priority on the use of student achievement and other data to inform decisions and create a system of “continuous feedback and improvement” using the new \$125 million under School Improvement Grants, which target LEAs with schools in corrective action or restructuring.
- State special education leaders are likely to support the use of Reading First models and programs in implementing early intervening services/response-to-intervention provisions under IDEA.
- New initiatives are underway to help states and local districts implement response- to-intervention model approaches with national summit planned in December.

**November 13, 2007** - A Special Report entitled “FY 2008 Joint Conference Funding Levels for Education Likely to Be Vetoed by President; Then Negotiations Begin” was sent to subscribers.

## **December 2007**

*November 30, 2007* - State Profile Updates were included with the December report as well as the following Washington Update Topics:

- Findings from this year’s Center on Education Policy report on Reading First has confirmed that Reading First interventions and “Essential Elements” are being expanded into higher grades in Reading First schools and into non-Reading First schools through the use of Title I and reallocated IDEA funds in districts with disproportionality. In 2006-07 school year, almost 70 percent of Reading First districts reported they had to purchase new textbooks or other reading materials and a fourth stated they have added or changed student assessments.
- According to USED’s Final Report on the National Title I Assessment, over 12 percent (or \$2 billion) of Title I funds was spent in 2004-05 on instructional materials, including computers and related technology and professional development. Since then, spending on professional development has increased several hundred million because the number of schools and districts identified for improvement, which have to set aside ten percent for staff development, doubled to over 10,000. Title I expenditures in 2005-06 and 2006-07 went down because of Federal Title I reductions, but will likely once again increase as new funding will be used to satisfy pent-up demand. In the late 1990s, USED officials estimated that only about eight to nine percent of total Title I funds were spent on instructional materials -- including instructional software – and professional development.
- Increased Federal funding and new reauthorization should breathe new life into the Head Start market niche. The Head Start legislation also attempts to define “principles of scientific research.” A similar definition will be included in the Senate version of NCLB reauthorization, allowing more flexibility than the definition of “scientifically-based research” in the current NCLB statute.
- On the heels of Senator Kennedy’s announcement that there would be no reauthorization of NCLB this year, Senator Lamar Alexander submitted a proposed NCLB amendment which would provide states almost unlimited flexibility in return for higher achievement standards and accountability. Senator Alexander, who also sponsored the recently enacted America Competes Act, is a leading candidate to replace Senator Trent Lott as Minority Leader; he and his staff are taking the lead role in NCLB reauthorization. While current set-asides for SES and staff development would no longer be required under the Alexander amendment, SEAs would decide the nature and extent of interventions that will be applied to schools in corrective action or restructuring.
- A new report from NACOL confirms continuing growth of online learning in a myriad of K-12 distance learning configurations, but at the same time foresees emerging problems which greater oversight and self-regulation could minimize. National standards could affect the demand for certain types of instructional materials and software, certain distance learning delivery configurations, and professional development and related services.

- The new USED final report on the National Assessment of Title I includes several additional noteworthy findings which could have implications for subscribers, including:
  - The number of Title I schoolwide programs, which served almost 20 million Title I student participants, has increased from 5,050 in 1994-95 to 31,782 in 2004-05.
  - Because of recent set-asides for SES and professional development, district allocations to Title I schools declined from 83 percent of districts' total Title I funds in 1997-98 to 74 percent in 2004-05, which certainly points to more centralized decision-making and purchasing.
  - Almost 90 percent of schools in “corrective action” and “restructuring” implemented new research-based curricula or instructional programs in 2004-05.
- Two reauthorization bills submitted in November could have both short-term and long-term positive impacts on education technology purchases and use. HR 3996 would reauthorize \$400 million to continue the qualified zone academy bond (QZAB) initiative, which increasingly has been used by eligible districts to replace curricula and upgrade technology. The Higher Education Act renewal, referred to as College Opportunity and Affordability Act, provides opportunities for professional development in the use of technology and would reauthorize and expand the TRIO and Gear-Up programs for K-12 students.
- Observations gleaned during the 2007 Education Forum, conducted by the State Education Technology Directors Association, are highlighted. Questions were raised whether 21<sup>st</sup> century technology literacy skills would be taught until conflicts with NCLB provisions are resolved and/or whether technology literacy should be included as part of statewide annual assessments. OECD official, Andreas Schleckler, attributed the higher ranking of a number of countries over the U.S. to a number of variables (e.g., how much is spent on education and how it is spent on instructional materials and individualized instruction) which conflict with the prescriptive nature of many NCLB provisions and a “one-size-fits-all” philosophy.
- E-Rate update potential E-Rate refunds for purchasing non-eligible products and services.



## **2008 TechMIS Washington Update Topics**

### **January 2008**

*December 19, 2007* – The January report included the first part of the January 2008 TechMIS issue and a special report on preliminary FY 2008 funding. The following Washington Update Topics were included:

- A solicitation under the Smaller Learning Communities program which could provide opportunities for firms that have products and services that could be used with entering high school students who are struggling with reading, math and science. Interventions which could be used under Math Now or Struggling Readers would most likely qualify for funding under this initiative which has a deadline of February 25<sup>th</sup>, 2008.
- Another USED notice of December 10<sup>th</sup> calls for proposals to develop and evaluate technology-based interventions for students with disabilities; it is due January 9<sup>th</sup>. Even though the funding level is much less than Smaller Learning Communities, the approach will likely be a model for future USED-funded development and evaluation intervention projects.
- The Math Advisory Panel draft report supports the use of high quality, well-implemented instructional software to improve student performance in specific domains, while at the same time “encouraging” publishers to produce much shorter math textbooks for K-12. Other recommendations are less prescriptive than those developed by the National Reading Panel seven years ago which contributed to the design of the Reading First program.
- During a panel discussion at the recent RTI Summit, USED officials stated that the use of Title I funds to implement response-to-intervention approaches creates certain compliance problems; districts using the 15 percent set-aside under IDEA for early intervening services/RTI raises different concerns. Until guidance is provided by USED to clarify what RTI models violate the Title I “supplement not supplant” provisions, firms are advised to place a higher priority on targeting districts with overrepresentations of minorities which are required to reallocate 15 percent of IDEA for EIS/RTI.
- Three days before the National RTI Summit, the National Education Association released its practice guide for teachers and district policy-makers to reduce overrepresentation of culturally and linguistically diverse students (CLD) in special education programs. If followed, the practices detailed in the guide could provide opportunities for firms with instructional and support materials that can be used to facilitate the implementation of such practices. The guide, developed in cooperation with the National Association of School Psychologists, emphasizes behavioral supports as part of RTI and will likely be used by many of the two million NEA members.
- During the First National Summit on RTI, USED officials from the Regional Reading First Technical Assistance Contractor at Florida State University shared lessons learned from Reading First with Title I and other SEA leaders, and suggested that many Reading First interventions and instruments should be adopted under new State RTI implementation initiatives.
- A new study finds high-quality, well-implemented after-school programs have had a significant impact on student achievement and behavior. The findings support 21<sup>st</sup> Century Community Learning Centers and other after-school programs, if they are well implemented.

- A new NCLB reauthorization proposal by the New America Foundation will allow Reading First funds to be used for pre-K language and literacy activities and would also allow unspent SES and parent choice monies to be used for high-quality pre-K programs. The author, Sarah Mead, notes that this use of unspent SES money would require only a minor amendment and would not require additional Title I funding which will interest many House Republicans during the ensuing reauthorization debates.
- Two reports, one from NCSL and the other from NGA/NASBO, present comparative estimates of increases in state revenue and spending from 2006 through enacted budgets in 2008. Both suggest reductions in state expenditures or K-12 education will be tight and, over time, may be reduced.

**December 19, 2007** - A Special Report entitled “Title I and IDEA Special Education Would Receive Funding Increases in FY 2008, if the President Signs the Current Omnibus Bill” was sent to subscribers.

### **January 2008**

*January 8, 2008* – The January report included the second part of the January 2008 TechMIS issue, including a special report on updated FY 2008 funding and state profile updates.

### **February 2008**

*February 1, 2008* – State Profile Updates were included with the February report as well as the following Washington Update Topics:

- As more districts are identified for improvement for this coming school year, USED recently sent a policy letter to SEAs, reiterating its policy -- reflected in regulations -- that districts identified for improvement cannot provide supplemental educational services unless they are part of the National Pilot Program. This has occurred in spite of a ruling by the USED Office of Inspector General that USED’s SES policy conflicts with the Law, which gives sole responsibility for approving SES providers to SEAs. It also conflicts with statements by the President and Secretary Spellings that, through the regulatory process, USED will develop a “compact” with states providing greater flexibility in return for accountability. If its current policy changes, at stake is more than \$1 billion of SES set-asides that could be used by districts to operate their own SES programs and provide opportunities for firms to partner with such districts.
- While USED officials claim they are attempting to provide greater flexibility by allowing funds from other titles to be reallocated at the district level to restore Reading First cuts, the probable impact of the 60 percent reduction in Reading First funding in FY 2008 will vary considerably among states, depending on when their state Reading First plan was approved. In districts where Reading First results were very positive, Reading First staff will be influential in facilitating the adoption of Reading First approaches, interventions and assessment instruments by non-Reading First schools and districts, as some increases in Title I funding will be used for such purchases.
- The implications of the recent Appeals Court ruling that NCLB is an unfunded Federal mandate which violates NCLB provisions will depend on several scenarios of actions undertaken by the NEA, USED, and/or states and districts.
- According to the Center on Budget and Policy Priorities (CBPP), 13 states face total

budget shortfalls of \$23 billion in 2009, while 11 other states expect budget problems a year or so later. During the last recession, “rainy day” funds and property taxes were used to soften the impact on education; however, today rainy day funds are 50 percent of their balances in 2001. During this recession, property taxes are the “cause” of the problem, and not part of the solution. The negative impact is already occurring in proposed budgets for FY 2009 in large states such as California and Florida.

- USED has begun to award states the newly-funded School Improvement Grants for \$125 million which will be targeted primarily on schools in corrective action and restructuring. The demand for data-driven decision-making tools and systems which provide continuous feedback, along with related professional development, will increase now with an expected greater increase in FY 2008 when SIG funding will increase to almost \$500 billion. Grants to targeted schools will range from \$50,000 to \$500,000 annually and for up to two years after schools meet improvement goals.
- The pro-NCLB Education Trust finds state funding gaps exist for districts with high enrollments of English Language Learners (ELL), in spite of Federal encouragement and slight increases in Federal funding for programs serving ELL. The best sales opportunities for firms with products used by ELL students and teachers are in set-asides, such as supplemental educational services, in which a large percent of student participants are ELL, rather than in general education programs for ELL students.
- Growth opportunities for professional development exist in Title I program areas with annual expenditures exceeding \$1 billion. Specific opportunities include districts identified for improvement through the use of the 10 percent set-aside, schools in corrective action and restructuring which will increase in number from 4,509 last year to 6-7,000 next year and in middle schools which have been identified for improvement due to poor performance in mathematics.
- Non-public school participation in Title I declined slightly after NCLB was enacted, in spite of the Administration’s policies encouraging greater participation. The non-public, faith-based school summit announced by the President in his State of the Union address represents another attempt to increase non-public school participation in areas such as providing supplemental educational services and after school programs.
- The President’s State of the Union address mentioned several new initiatives; the White House website provides some additional details on new proposals, such as the K-12 Pell Grant program, details of which should be included in the February 4<sup>th</sup> proposed FY 2009 budget. Support in Congress will be minimal.

**February 19, 2008** - Two Special Reports entitled “USED Issues Non-Regulatory Guidance Which Will Impact Title I Set-Asides for SES and Professional Development, End-of-Year Spending and Carryover, and Use of Funds in Schoolwide Programs” and “Funding Alert: USED Announces Preliminary State Title I Formula Allocations for School Year 2008-09” were sent to subscribers.

**February 7, 2008** - A Special Report entitled “The Proposed FY 2009 Education Budget Reflects the President’s Priorities and Assumes the Administration’s Proposed Changes Will Be Incorporated Into NCLB Reauthorization; However, While Most Legislative Changes and New Initiatives Will Be Dead on Arrival in Congress, the Administration Will Attempt to Implement Some Through the Regulatory Process” was sent to subscribers.

## **March 2008**

*March 3, 2008* – State Profile Updates were included with the March report as well as the following Washington Update Topics:

- An update on recent guidance on early intervening services and response-to-intervention which could explain why some states have been slow to implement these provisions in IDEA and explains while the vast majority of states have “permissive” state guidance on EIS and RTI; however, in most states, districts are taking a more proactive role in implementing these provisions than SEAs and even USED.
- With little Federal funding and few NCLB requirements, states are instituting high school reforms which should reduce fragmentation of market opportunities across states as joint collaborations grow. Under the leadership of Achieve, Inc., the number of states developing a common core of knowledge and skills aligned to college- and career-ready expectations and aligned state assessments is growing, which could also reduce developmental costs.
- Key Congressman calls for “fix it” changes to NCLB now because of the fleeting hope of NCLB reauthorization this year. Senior Republican Thomas Petri calls for: (a) greater use of growth models which track individual student improvement through “robust computer systems;” (b) differentiated interventions for schools in improvement where majority of students are failing to meet proficiency; and (c) use of computer-adaptive testing to help teachers use individual student data to inform instruction and personalize learning.
- Highlights of a forum which addressed the Federal role in education as an “innovator” or “regulator” in the use of evidence for change. The Knowledge Alliance, SIIA, and AAP convened the forum. USED officials cling to the gold bar of scientifically-based research (SBR) and randomized trial experiments, while at the same time arguing NCLB left ample room for “innovation” among SES providers. On the other hand, senior committee staff who are drafting related components for the reauthorization called for the use of “different standards of evidence” in the context of what evidence exists and the practices are used; improving the “bridge” from research identifying evidence best practices to actual practice; and ensuring Federal policy is not a hindrance to innovation, but rather actively promotes innovation and innovative activity, which will be included in the NCLB reauthorization.
- E-Rate update on districts with “potential” E-Rate refunds for purchasing non-eligible products and services.

## **April 2008**

*March 31, 2008* – State Profile Updates were included with the April report as well as the following Washington Update Topics:

- The major effects of NCLB, both positive and negative, are identified by Jack Jennings, CEO of the non-partisan Center on Education Policy. He called for a total rethinking of the pillars of NCLB before reauthorization, which he felt would not occur until 2010. Jennings also noted that, if too many fundamental changes are made in the law through the non-regulatory process, then a coalition of Civil Rights organizations and neo-conservatives could kill NCLB.
- Some opportunities exist for non-SES providers under the 20 percent set-aside according

to Steve Pines, Director of the Education Industries Association; however, during the SIIA forum, he predicted that Congress is likely to impose greater performance standards on third-party providers and will likely reduce SES set-asides in the reauthorization. EIA continues to pressure states to ensure unspent SES set-asides are not reallocated at the end of the year for other uses by districts.

- The Response-to-Intervention approach is operationally defined differently by various district officials and offices responsible for implementation, which firms should take into account in positioning products and approaching districts. Congressional committee staff predict that RTI and use of formative assessments will be greatly expanded in the NCLB reauthorization.
- Policymakers and leading education policy influencers agree that the most likely major changes in NCLB relate to school improvement and the types and nature of NCLB assessments, reinforcing the consensus of other SIIA forum panelists that increased funds will be used to expand formative assessments.
- Highlights of miscellaneous other sessions addressed state budget shortfalls with likely impact on K-12 state funding. A recent Reading First report by the Fordham Institute blames Congress for “softening” the SBR definition and encourages consortia development of uniform state standards in algebra.
- During the Council of the Great City School’s annual legislative conference, Secretary Spellings responded to urban districts’ concerns over the new national pilot of Differentiated Accountability, while Congressional staff and others indicate that some “near consensus has been developed on certain issues” regarding NCLB reauthorization; but reauthorization this year is not likely.
- The National Mathematics Panel recommends streamlining math instruction and sites research evidence supporting the use of computer assisted instruction in drill and practice and tutoring, but at the same time calls for increased research on the use of technology-based instruction generally.
- District and state technology officials believe that the curriculum for teaching 21<sup>st</sup> century skills will be driven by the types of assessments used by states and districts, a consensus among many attendees of the annual Consortium on School Networking (COSN) conference on March 10<sup>th</sup>.

**April 7, 2008** - A Special Report entitled “Preliminary Title I Allocations to Districts Receiving Significant Increases” was sent to subscribers.

### **May 2008**

*April 30, 2008* – State Profile Updates were included with the May report as well as the following Washington Update Topics:

- A new survey conducted by the Council of Administrators of Special Education (CASE) finds that the rate of adoption of response-to-intervention by districts has increased dramatically over the last year, and suggests that the amount of set-asides for early intervening services was well over one billion dollars in 2007-08. We estimate that over half of the districts receiving large Title I increases identified in our April 7<sup>th</sup> Special Report are setting aside up to 15 percent for EIS, usually operated by Title I Program Office.



- A new report from the Government Accountability Office (GAO) suggests the states that should be targeted by firms with products and services which could help schools in restructuring, especially in light of the large Title I formula increase and the three-fold increase in School Improvement Grants next school year. States which also allocate large amounts of state funds for school improvement are also identified. An earlier GAO report found that most funds were used for professional development, data analysis, and replacing curriculum or assessment materials.
- While the planned pilot for up to ten states for “differentiated accountability” models has been heralded by the media as providing greater flexibility for states to target resources and interventions for schools that are “most broke,” the ultimate goal is to increase the number of students participating in SES and parent school choice. The degree to which opportunities will be created for firms with appropriate products and services will largely depend upon what state proposals are not only acceptable to USED, but also recommended through the peer review process. In states that are finally approved, Title I set-asides for SES will increase, perhaps providing opportunities for firms to “partner” with districts that operate their own SES programs.
- The latest annual Census Bureau report on school spending in 2006 found that state funding for special education was nearly \$15 billion which does not include the estimated \$10 billion of Federal IDEA funding; almost \$6 billion of state funds were allocated to districts for compensatory education over and above the estimated \$12 billion in Federal Title I funds for that year.
- The fifth annual National Trends Report by the State Education Technology Directors Association (SETDA) indicates a shift in technology-based priorities.
- During the March Council of the Great City Schools Annual Legislative Conference, the economic impact of high school dropouts last year was estimated by the Alliance for Excellent Education (AEE) to be \$460 billion in lost wages, taxes, health-related insurance, while the cost of remediation in two-year colleges is \$3.7 billion for entering freshmen who are required to take remedial courses. In her April 22<sup>nd</sup> press conference announcing proposed regulations (see related item), Secretary Spellings referred to the AEE findings.
- During the winter National Governors Association meeting, several governors discussed challenges in pre-K and high school initiatives; of high interest among many governors were Georgia Governor Sonny Perdue’s initiatives relating to the use of graduation coaches, community coaches and VIP recruiters.
- Miscellaneous recent developments including:
  - a) Proposed Higher Education Act amendment would provide up to \$100 million for teacher training in the use of technology.
  - b) In addition to fewer “rainy day” funds and inability to rely on local property taxes, state K-12 funding cuts are under even more pressure because of higher inflation rates of providing state services.
  - c) The RTI Action Network is now online and will also address math interventions.
  - d) Extension of Secure Rural Schools and Community Self-Determination Act is likely to be part of the Iraq War supplemental appropriations.
  - e) NCSL recent state budget update estimates 23 states plus Puerto Rico will have shortfalls in FY 2009 with a projected gap of \$26 million.



**May 8, 2008** - A Special Report entitled “Suggestions for Approaching Districts With Large Title I Increases” was sent to subscribers.

## **June 2008**

*May 29, 2008* – State Profile Updates were included with the June report as well as the following Washington Update Topics:

- While most education groups and policy influencers will take issue with the Secretary’s proposed regulations regarding a reduced and uniform “N size” and narrow criteria for calculating AYP used to identify schools for improvement, the most immediate and serious challenges relate to proposed changes would favor SES providers at the expense of districts, particularly the conditions districts have to meet in order to reprogram unspent SES funds.
- A new practice guide from the Institute of Education Sciences recommends activities which have been successful in turning around chronically low-performing schools such as those in corrective action or restructuring. Perhaps the most critical and widely-used activity is for districts and schools to continually reassess student learning using assessment data to inform instruction. Schools that receive part of the increased funding for School Improvement Grants must demonstrate that such a capability exists when they apply for SIG funds.
- The Institute of Education Sciences released its interim report on the study of Reading First programs that found there were no significant differences in comprehension skills between Reading First and comparable schools. Possible explanations by IES Director Whitehurst, the Fordham Foundation, and others provide ammunition for both advocates and critics. With the release of the final report this Fall, which will include findings in the area of fluency skill development (which could be more positive), this could possibly result in restoration of Reading First funds cut by Congress. The impact of the study’s interim findings on the EIS/RTI movement will likely be minimal.
- According to a new report from the Center on Education Policy, in about half the states, districts will have to rely on the 10% safe harbor provision to minimize the number of schools identified for improvement; this would create a demand for products and services designed to increase achievement gains for the lowest-performing students. In addition, in states who recently submitted plans for “differentiated accountability” approaches are approved, additional funding will likely be targeted to subgroups of students who fail to meet AYP, most of which will be students with disabilities and students with limited English proficiency.
- New USED guidance on services required for limited English proficient students should increase the demand for instructional programs that are effective in helping English language learners acquire English and achieve proficiency in math and reading. Limited English proficient students will likely spend more time in Title III programs and the number of LEP students served in Title I programs should also increase.
- United Way encourages local affiliates to redirect funds to programs that are effective in improving child readiness for kindergarten, programs in which student progress is monitored on a continuing basis, and programs and agencies which can increase graduation rates significantly.
- The most recent Annual Report of Characteristics of Local School Districts published by

NCES provides useful information for firms with products and services designed to serve students with different demographic characteristics, particularly in districts for which firms target Federal funds; however, the reported NCES instructional expenditures as a percent of total current expenditures, which range from 95 percent in Puerto Rico to 37 percent in Philadelphia, should be viewed with great caution.

- *America's Digital Schools 2008*, based on a survey conducted by Tom Greaves and Jeanne Hayes, suggests that Federal education policies and funding are having a major influence on technology trends in K-12 education. It appears that the greatest impact is on technology use and Learning Management Systems growth, online instruction and assessment, and 1:1 computing implementations. With the anticipated cuts in many state funds K-12, Federal funding's influence is likely to grow even more.
- Miscellaneous recent developments including:
  - a) Findings from a study of the Smaller Learning Communities program which found that professional development and instructional materials contributed to modest achievement gains and an increased number of graduating students who planned to enter two- or four-year colleges.
  - b) Recent USED guidance which clarifies that the district in which a private school is located -- to which parents who live in another district attendance area send their student for special education services -- is responsible for "child find" and actual allocation of resources for the student to receive special education and related services.
  - c) Another recent USED clarification that empowers parents of students who are placed in special education programs the right to withdraw that student from such programs even though the district feels the student still needs such services.
  - d) A review of 17 state applications to implement differentiated accountability models suggests that SEAs prefer to have districts implement SES before the parent choice option, focus Title I funds on subgroups of students who fail to achieve proficiency, and allow more districts identified for improvement to provide their own supplemental educational services.

## **July 2008**

*June 26, 2008* – State Profile Updates were included with the July report as well as the following Washington Update Topics:

- Newly released USED Regulatory Guidance would allow districts in up to 35 states to provide supplemental educational services (SES) before parent school choice in schools identified for improvement for the first time, which would expand the National Pilot Program beyond the four existing states. Depending on the specific states which apply and are approved, the amount of Title I funds set aside for SES will increase by several hundred million dollars, likely to reach well over \$2 billion. While this expansion would increase opportunities for SES third-party providers, it could also increase the number of districts allowed to operate their own SES programs, providing opportunities for firms to partner with them by providing materials, training and support.
- Highlights of the Association of Educational Publishers (AEP) Annual Legislative Breakfast during its June Summit involved ranking Republican Mike Castle on the House Education Subcommittee and key Senate committee staff who are taking the lead role in

drafting the Senate NCLB reauthorization proposal. Issues addressed included: proposed USED regulations which would reduce the amount of unspent SES set-asides that could be used to make end-of-year purchases of supplemental materials and staff development; the use of supplemental materials in Reading First and IDEA/Early Intervening Services; scientifically-based research proposed language; and directly-related matters.

- During the summit, representatives for the Obama and McCain campaigns identified education policy and priority differences. One could infer moderate to major differences exist on increased education funding, teacher pay based on student performance, parent choice, standardized state assessments versus expanded use of formative assessments, and the level and nature of technology supports for teachers.
- The most recent periodic NEA survey of teacher use of technology identifies trends and growing opportunities for instructional software, training, and support and suggests the types of teachers and districts which have the greatest needs.
- As part of its continuing study of the implementation of NCLB, the Center on Education Policy has found that the impact of Reading First on student achievement was perceived as greatest in rural districts when compared to urban and suburban districts. However, both rural and non-rural districts felt district policies unrelated to NCLB contributed more to increased student performance than did other NCLB requirements. Less than ten percent of both respondent types felt SES requirements were very important or important.
- SEA policies on implementing early intervening services/response to intervention approaches continue to vary -- in some cases significantly -- thereby creating immediate or long-term opportunities in districts. The new All Kinds of Minds website, which went online in June, has links to SEA websites which include “official” policies which “require” or “permit” districts to implement EIS/RTI, the number of pilot sites, and consortia of intermediate units and other loosely coupled groups which influence district implementation.
- According to a recent survey conducted by MMS/Education, the use of supplemental instructional materials in reading, math, language arts, science and social studies will increase in between 39 and 53 percent of districts and buildings; 57 percent of respondents identified Title I funds as the largest source of funding for such purposes, while reallocation of funds (most likely unspent Title I SES set-asides) were identified as a funding source by 21 percent of respondents.
- A new survey update by the Center on Budget and Policy Priorities reports that the number of states with expected budget shortfalls for FY 2009 has more than doubled to 29 which have an estimated combined shortfall of \$48 billion. Excluding California, the average budget shortfall for 28 states is 6.2-6.7 percent of general funds. The report estimates that by the end of the current fiscal year, rainy day fund reserves will be down to 6.7 percent of annual state spending on the average. Another recent survey by the National Governors Association estimates that the rainy day funds have dropped to 7.5 percent for FY 2009.
- NCES releases its *Condition of Education for 2008*, covering data collected for the most part in 2004-05 school year, includes analysis of district expenditures by wealth of district over time, high school graduation rates by state, and numbers of special education students who graduate with a regular high school diploma or alternative diplomas.
- SES Update

**July 21, 2008** - A Special Report entitled “States Approved for Using Differentiated Accountability Model Pilot Program Will Make Different Significant Changes in Implementing Supplemental Educational Services (SES) Provisions Creating State-Specific Opportunities” was sent to subscribers.

### **August 2008**

*July 31, 2008* – Two Special Reports were sent with the August report: “Final Federal Title I Allocations to Districts Receiving Significant Increases Before State Adjustments,” and “USED Has Released Its Annual Report on Federal Title I Allocations Per Eligible Student for Every District Which, in Combination With Other Data, Should Help Firms Decide What States and Districts to Target.”

State Profile Updates were included with the August report as well as the following Washington Update Topics:

- From his website and spokesperson’s comments, Candidate McCain’s plan for strengthening America’s schools would strengthen, but significantly change SES; would reward teachers based on student performance and principals’ criteria; and would increase funding and expand opportunities for online learning and virtual schools as a means to provide greater choice. More funding would be set aside for SES. Parents would have greater say-so about how funds are used and Washington would be more involved in certifying and paying SES providers directly.
- New NCES report finds the number of students taking credit courses via distance learning increased by almost 60 percent between 2002 and 2005 with student online enrollments increasing primarily in the same districts. Beyond online credit courses, even greater growth, according to other studies, has occurred in supplemental, remedial/tutoring, test prep and test taking and retaking, with states and districts taking the lead roles in funding.
- Although Congressional appropriations subcommittees would boost the FY 2009 education appropriations by slightly over four percent, especially for Title I and IDEA, final appropriations action would not likely occur until next February-March. Under a Continuing Resolution, Reading First funding would continue at slightly less than 40 percent of the previous year’s funding. If candidate McCain is elected, one can expect existing funds under a Continuing Resolution to be redirected; while if Obama is elected, overall funding, particularly for improving teacher “quality” and “equity,” would increase.
- New 21<sup>st</sup> Century GI Bill will likely increase the demand for college-level remediation instructional software materials, especially those delivered online. For eligible veterans, including National Guardsmen, up to \$1,200 would be provided for remediation/tutoring upon college entry, if needed. Community colleges, particularly those that provide online classes, should receive most of the enrollment increases, if “convenience” becomes the most important college/university selection criteria.
- Most recent biennial report to Congress on the implementation of Title III English Language Acquisition Grant Programs provides additional justification for proposed regulatory changes which would affect LEP students served in both Title I and Title III programs. The report also suggests what states to target due to: (a) large gaps between

LEP students who are “identified” but not “served;” and (b) low percentages of students participating in both programs who are failing to meet proficiency levels in English language acquisition, math, or reading/language arts content areas.

- Proposed legislation would fund partnerships to train guidance counselors, social workers and psychologists, while increased funding for behavioral interventions would most likely come from early intervening services set-asides under IDEA. Likely enactment will occur because of funding in NCLB priorities and as a result of the recent momentum of the EIS/RTI movement.
- Miscellaneous Developments

### **September 2008**

*August 28, 2008* – State Profile Updates were included with the September report as well as the following Washington Update Topics:

- A new report from the National Association of State Directors of Special Education found that virtually all states have developed new policies and initiatives to implement the early intervening services/response-to-intervention (EIS/RTI) regulatory provisions released in 2006. In many states, however, informal policy and guidance trumps formal state regulatory changes. As of early summer, six states “required” the use of EIS/RTI and do not allow the use of discrepancy models; 26 states “permit” the use of RTI or “severe discrepancy” with ten other states also permitting other research-based alternatives to be used in establishing eligibility for specific learning disabilities. Firms should develop different strategies in approaching districts in states which have “permissive” rather than “required” policies.
- The Center on Education Policy’s seventh survey on exit exams shows continued growth in the use of end-of-course exams rather than comprehensive exit exams, which will provide greater momentum for Congress to increase the use of formative assessments in the reauthorization of NCLB. The demand for diagnostic/prescriptive instructional management and online assessment, analysis and individual student reporting tools should continue to grow.
- State policies and the timing of distribution of School Improvement Grants totaling almost \$500 million this school year vary considerably across states. Many states are awaiting anticipated USED guidance before soliciting applications from districts. States with approved differentiated accountability models, as well as those with the longest history of assisting schools in restructuring (e.g, Michigan, California and Maryland), are likely to proceed more quickly than others.
- The Higher Education Act (HEA) reauthorization will create or consolidate more than 60 programs, but only a limited number will impact K-12 market opportunities. One is the creation of a new center which will attempt to adapt technology used in business, defense and other sectors (particularly military simulations and games) for transfer into classroom instruction.
- The media has reported the general public’s perception of which Presidential candidate is most likely to make certain education policy changes. The new Phi Delta Kappa/Gallup poll findings strongly suggests a shifting public attitude toward charter schools, vouchers, and the types of assessments which are preferred over current high stakes testing. The survey findings suggest that support for vouchers, even among Democrats is growing,



while charter school support has declined over the last year. Alternatives to state standardized assessments, such as teacher observations and projects or examples of student work, are perceived to be more effective in measuring individual students' progress.

- USED announces expansion of flip-flop pilot for SES and parent choice which is likely to result in an increase in Title I funds earmarked for SES this school year.
- Unlike McCain's reform plan, the Obama plan posted late last year on his campaign website does not address in detail supplemental educational services; however, reactions by the Obama campaign to McCain's proposals along with positions taken by key Congressional leaders and committee staff members do suggest likely scenarios for SES changes.
- USED announcement of new Competitive Grant Program reflects a higher policy priority to increase the number of 21<sup>st</sup> Century Community Learning Center after-school program operators which partner with SES providers to provide a combined SES program.
- New USED policy letter clarification should increase the use of computer-based online, tutoring in supplemental educational services.

### **October 2008**

*September 30, 2008* – State Profile Updates were included with the October report as well as the following Washington Update Topics:

- Estimates by the Center on Education Policy that slightly over \$1 billion will be allocated this year to districts, particularly those with schools in corrective action or restructuring, for school improvement compared to \$434 million last school year. Firms with appropriate products and services should target districts with the most schools identified for improvement, particularly for restructuring, or those in states approved for differentiated accountability models.
- In another report on its five-state, 42-school study of restructuring CEP strongly suggests that improvement strategies will include individual student tutoring aligned to district curricula, use of data-driven decision-making tools and professional development/coaches. CEP also estimates that the number of schools in planning or restructuring in 2007-08 was more than 50 percent higher than the previous year, or more than 3,500 schools.
- New Policy Brief from the Consortia for Policy Research in Education concludes that increasing school performance depends on how much resources schools allocate to effective practices, which include expanded time on core subjects, larger investments in professional development, and more intensive extra help, especially more intensive one-on-one tutoring for struggling students.
- The Federal Reading First Advisory Committee, in its report on the findings from the Interim Report on the Impact of Reading First, cautions policy makers not to use findings because of "fundamental flaws" in the study's design. It also cautions against the use of findings in the Final Report of the Impact Study, which is supposed to be released shortly, and urges Congress to "refrain from eliminating funding from Reading First."
- The Strong American Schools (SAS), a non-partisan school advocacy group, estimates that the cost of college remediation is between \$2.3 and \$2.9 billion, which is much higher than earlier estimates, and recommends that higher education spending on



remediation -- now at two percent of all college expenditures -- be increased. Opportunities for distance learning-delivered remedial courses would increase if remediation were expanded.

- In one of the first of its kind studies, the RAND Corporation has found that the frequency with which reading coaches review student assessment data with teachers was the most important feature associated with positive student achievement outcomes. Although the study focused on a large number of Florida reading coaches, the findings should be generalizable to many other states which provide funding as well as flexibility for districts to implement their own reading coach initiatives.
- Evolving USED guidance reinforces principles which must be followed by districts implementing early intervening services/RTI under IDEA. Firms with appropriate interventions products and professional development should take into account some of these principles such as “incidental use” and targeting schoolwide programs with eligible RTI “tiers” in this growing niche market.
- Republican Education Policy Platform differs from McCain’s education reform plans on supplemental educational services/tutoring and distance learning/virtual schools.
- CEP study of restructuring in Maryland found the number of schools increasing while the State Department of Education will rely on a planned “breakthrough center.”
- According to a CEP report, the number of Georgia schools in restructuring has declined while Georgia model continues to emphasize continued teacher training, teaching new curriculum standards, and analyzing assessment results for diagnosis and prescription. No curriculum replacement is currently allowed in schools in restructuring.
- FY 2009 Continuing Resolution and related appropriations update.

Many state profile updates address K-12 state funding, number of schools identified for restructuring, and changes in assessments.

### **November 2008**

*October 30, 2008* – State Profile Updates were included with the November report as well as the following Washington Update Topics:

- A new SRI study identifies growing trends in the use of data-driven decision-making tools and identifies teachers’ perceived needs for additional professional development, including “conducting diagnostic assessments” and “adjusting instruction based on diagnostic data.” Demand should be growing, especially in schools identified for improvement or in corrective action/restructuring.
- The final Reading First Implementation Evaluation has identified trends which suggest supplemental publishers target non-Reading First Title I schools, particularly the lowest performing ones, with different types of instructional products and services. The highest perceived needs for professional development for both Reading First and non-Reading First teachers were “interpreting assessment results” and “assisting struggling readers.” While most decisions regarding selection of instructional programs and interventions were made at the district level in non-Reading First schools, principals and reading coaches were the most “influential” staff.
- The new National Center on Response-to-Intervention (RTI) initiative to review RTI-related tools uses evidence gathered through rigorous research and also takes into account

cost and training requirements to help practitioners make decisions; this approach differs from the WhatWorks Clearinghouse (WWC) which emphasizes improving the rigor of research and evaluation. Based on a review of the RTI Center's first solicitation for "screening tools" for reading, the review process is more open than WWC and includes the names of the Technical Review Committee.

- USED finalizes new "interpretation" guidance for Title III English Language Acquisition, while another notice clarifies what types of instructional products and assessments can and cannot be purchased by districts using Title III funds. The final "interpretation" guidance, published on October 17<sup>th</sup> in the Federal Register, "provides greater flexibility" for SEAs than the May draft document; most state officials feel they remain "confusing," with several states threatening to file lawsuits. Title III funds can be used, in most cases, to purchase supplemental materials (versus core instructional programs) without violating Title III supplement not supplant provisions.
- Included in the over \$800 billion, so-called Bailout Act (HR 1424), the Secure Rural Schools Act is reauthorized for four years with authorized funding slightly more than \$3 billion which will help rural districts in counties with national forests, particularly in California, Oregon, and Washington; also included was a one-year extension of the Quality Zone Academy Bonding (QZAB) program which can provide no-interest multi-year loans to districts which can be used to upgrade curriculum in high-poverty schools and purchase instructional technology. A two-year extension of the teacher income tax credit up to \$250 will continue for teachers who purchase materials for classroom use.
- Beginning in 2012, the National Assessment of Education Progress (NAEP) will include technology literacy tests which will likely spur the expansion of technology literacy instruction with a likely greater focus on the development of 21<sup>st</sup> Century skills. This decision, made by the National Assessment Governing Board, reverses previous Bush Administration policy which did not require SEAs to report on the progress being made to develop technology literacy skills for eighth-grade students, as required under NCLB.
- A new report from the Southern Regional Education Board (SREB) praises the success of Reading First in its member states, describes state initiatives beyond Reading First to provide reading interventions to reduce student retentions, and recommends what states need to do in light of pending further reductions in Federal Reading First funding. It recommends SEAs help schools to identify appropriate instructional materials and strategies, and provide professional development for regular teachers, along with hiring reading coaches.
- Pressures mount to expand E-Rate funding as aggregate demand for E-Rate discounts greatly exceeds the current \$2.25 billion cap. The number of school districts and other E-Rate applicants who use the BEAR process to receive credits or refunds on appeals found meritorious has declined from over 80 percent during the initial years to about 50 percent which has reduced the use of E-Rate refunds to purchase non-eligible E-Rate products and services.

**November 6, 2008** - A Special Report entitled "Substantive Changes in Title I Final Regulations Which Have Implications For Some, If Not Most, Subscribers" was sent to subscribers.

## **December 2008**

*December 2, 2008* – State Profile Updates were included with the December report as well as the following Washington Update Topics:

- A sobering report by the Center on Budget and Policy Priorities (CBPP) which has identified revenue shortfalls (in over 40 states) and anticipated K-12 budget cuts (in at least 16 states). Such shortfalls and volatility strongly suggest that greater purchasing opportunities exist in more stable Federal funding programs, such as the Title I market niche. As 2009 funding allocations are known next spring, we will identify states, districts, and schools with likely increased funding.
- After the November 6<sup>th</sup> TechMIS Special Report on Title I Final Regulations, USED held its third and perhaps most comprehensive teleconference to clarify the regulations and provide its “interpretations.” It is very likely that districts and SEAs will be allowed, through June 30 - September 30, 2009, to reallocate unspent SES funds using existing criteria and procedures which could provide opportunities for purchasing firms’ products and services by June 30<sup>th</sup> in more than 40 states. New Non-Regulatory Guidance is likely to allow the 15 percent IDEA set-aside for Coordinated Early Intervening Services to be used in Title I schoolwide programs to purchase core instructional programs, as well as Tier 2 and Tier 3 interventions. Other opportunities for “partnering” with districts, using SES and some IDEA funding, exist for firms with programs proven effective with LEP students and those with disabilities.
- During the November 18<sup>th</sup> State Education Technology Directors Association, policy influencers and association transition team liaisons expressed cautious optimism that Congress will move quickly; however, opposition to USED’s Title I final regulations is mounting. Most policy changes could be made through the administrative regulatory process after the new Secretary is confirmed.
- The redirected Bill and Melinda Gates Foundation philanthropic strategy could create opportunities for innovative and effective remedial products and services in middle/high schools and in colleges to increase graduation or completion rates in both. A primary focus will be selected community colleges in 8-10 states which will receive Gates financial support to implement priority strategies over a three to five year period.
- With at least 60 Democratic or independent Senators, the movement to “fully fund” IDEA as a “mandatory” rather than “discretionary” budget item is gaining momentum. This is occurring as the Bush Administration attempted to achieve 40 percent full funding by reducing the number of students placed in special education programs by 30 percent through Reading First, an effort which has faltered. Senate amendments in 2004 to increase annual funding by \$2.2 billion until the 40 percent Federal contribution was attained went down to defeat by only four votes at that time. Between 45-55 percent of instructional and administrative software purchases in special education programs over the last 20 years have been made through using IDEA funds.
- The latest National School Boards Association (NSBA) survey finds that technology-related professional development is both a growing concern as budgets tighten, and a potential opportunity resulting from greater emphasis on data-driven decision-making in K-12 schools in restructuring.
- USED publishes a White Paper which touts education technology as a means to personalize education; however, its policies and priorities over the last seven years suggest the opposite. Ironically, in July, we were asked by Educational Technology

publications to prepare an article on the Bush Administration's impact on instructional technology; it was published in the September/October issue. In that article, we argued that the Administration had numerous opportunities to promote the use of technology -- in for example, formative assessments which could lead toward individualized or personalized instruction -- but failed to do so. Rather it focused its efforts on the use of data-driven decision-making to help parents select the schools, districts and states. With the publisher's permission, the article is a separate attachment to this email (see Reader Comments-Blaschke.pdf).

- **Miscellaneous**

- a) Unlike the Reading First impact (interim) report, the final report found that, in 2007, Reading First had a statistically significant impact on the development of decoding skills among first-graders, but confirmed previous findings that Reading First had no significant impact on reading comprehension test scores in grades 1-3.
- b) A Request for Proposal to support RTI evaluation contractors for IES will be soliciting interventions and justification for being included in a multi-year evaluation of response-to-interventions.

State profile updates address a number of issues including budget shortfalls, K-12 funding cuts, NCLB standards, November ballot measures, and virtual schools.

## **2009 TechMIS Washington Update Topics**

### **January 2009**

*December 19, 2008* – A Special Report entitled “Likely Education Policy and Priorities Under the Leadership of Secretary Designate Arne Duncan” was sent to subscribers as well as the following Washington Update Topics:

- Bill & Melinda Gates Foundation Begins Implementation of New Initiative to Double the Number of Low-Income Students Who Enroll and Complete a Post-Secondary Degree, Including over \$30 Million to Expand and Improve Community College Remedial Programs.
- As More Districts Are Confronted With Tighter Budgets and Revenue Shortfalls, Education Groups Are Calling for an Implementation Deferral of New USED Final SES Regulations Which Strongly Suggests the New Administration Will Place a Very High Priority on Such Deferrals or Nullification During its First 100 Days; Current and Anticipated Budget Tightening Becomes a Major Justification.

*January 15, 2009* – State Profile Updates were included with the January report as well as the following Washington Update Topics:

- According to Education Week, the number of schools entering restructuring this school year doubled to 3,500 schools, while the amount of Federal Title I funding which targets these schools more than doubled. In his confirmation hearing, Secretary-designate Arne Duncan emphasized this reform priority, noting the alternatives used in Chicago Public Schools.
- Of all the Obama education components of the economic stimulus package, the doubling of funding for afterschool programs under 21<sup>st</sup> Century Community Learning Centers to over \$2 billion is likely to remain intact as Congress begins to finalize the overall package. Subscribers with appropriate products should develop action strategies now.
- Other likely education components of the economic stimulus package could include classroom technology funneled through Title IID, increased E-Rate discounts for infrastructure by raising the \$2.5 billion annual cap, increased funding for IDEA to make up for the “unfunded mandate,” and professional development in programs such as Title I.
- New AASA survey finds that small to medium districts would likely spend proposed economic stimulus funds on technology projects and related staff development, suggesting current pent-up demand for such products and services.
- State funding for programs serving English language learners varies significantly across states and remains fluid due to individual state court actions and evolving state interpretations of new Federal regulations, which also affects the use of Federal Title III funds. The demand for certain supplemental instructional materials and formative/benchmark assessments should continue to grow.
- Legislation has been introduced in Congress which would defer or nullify the recent Bush USED regulations affecting Title I; however, because virtually all major education groups have lobbied the transition team to suspend such regulations, as noted in the December 19<sup>th</sup> TechMIS Special Report Secretary-designate Arne Duncan may act upon such recommendations immediately after January 20<sup>th</sup>.
- In early January, Secretary Spellings announced three additional states (New York,

Arkansas and Louisiana) have been approved to implement their proposed differentiated accountability models which brings the total to nine states. Highlights of the previously approved six states were included in the July 21<sup>st</sup> TechMIS Special Report. All three of the newly approved states propose to allow SES before the parent choice option which could result in additional funding set-asides and create opportunities for partnering with districts which operate their own programs.

The State Profile Updates address a range of topics, the most prominent of which is the struggling state economies which has caused most states to be faced with budget shortfalls. These shortfalls are having major impacts on K-12 education programs. Other issues contained in the Profiles are charter schools, college remediation, online education, and teacher preparation programs.

**January 26, 2009** - A Special Funding Alert entitled “Special Funding Alert: Preliminary Analysis of Proposed Economic Stimulus House Bill for Education” was sent to subscribers.

### **February 2009**

*February 3, 2009* – The following Washington Update Topics were included in the February report:

- Funding Alert: Senate education committee stimulus proposal would provide levels of funding for most K-12 components which are similar to the House bill, but would allocate such funds differently and target new priorities such as middle schools in restructuring and preschool education programs.
- A new USED report on the types of expenditures made in 2005 using Title I, Title II, Title III, and the four percent SEA set-aside, which corroborates some of our previous estimates and findings.
- Updated USED report finds that SES participation rates remained about 17 percent in 2007, concluding that parents have shown a low propensity to have their child participate in both public school choice and SES; however, the study fails to address some of the fundamental questions addressing why.
- New survey finds three-quarters of K-12 districts have students taking online courses, with 15 percent of the rest planning to provide online courses over the next three years. The perceived importance of online courses for credit recovery and directly related activities is becoming an increasingly important reason for districts to provide online learning.

**February 10, 2009** - A Special Funding Alert entitled “Special Stimulus Funding Alert: Senate Cuts Then Restores Title I and IDEA Almost Back to the House-Passed Levels” was sent to subscribers.

**February 13, 2009** - A Special Stimulus Funding Alert entitled “Education Stimulus Update: ‘Preliminary’ Additional Two-Year Funding for Primary Major Education Components” was sent to subscribers.



**February 17, 2009** - A Special Stimulus Funding Alert entitled “Education Stimulus Update: Further Analysis of Primary Major Education Components” was sent to subscribers.

### **March 2009**

*February 27, 2009* – In addition to the Education Stimulus Update Special Report, the Washington Update includes:

- The funding level in the House Omnibus bill for FY 2009 which would provide some increases above the current Continuing Resolution levels. The proposed House language, if passed by the Senate, would affect when such funds will be allocated to states and some priority uses of these funds.
- Evolving perceptions about how stimulus funding for Title I will likely be used and other related matters.

The State profile updates provide for some states governors’ and other state officials’ statements about how certain stimulus funds will likely be used. Thus far, no Governor has stated that he or she would not accept the education-related stimulus funds.

**March 10, 2009** - Special Stimulus Funding Alerts on Wave I guidance for education stimulus funding on allocation schedules and allowable uses of funds under the Title I, IDEA, and Fiscal Stabilization funding buckets were sent to subscribers.

**March 19, 2009** - Special Stimulus Funding Alert entitled “Stimulus Funding Alert: Uncertainty About the Use of Governors’ Portion (\$48 billion) of Stabilization Funds Suggest Initial Focus Should Be Upon IDEA and Title I Followed By School Improvement Grants on Release of Guidance” was sent to subscribers.

### **April 2009**

*March 31, 2009* – In addition to the “Stimulus Funding Alert: USED Post AARA PowerPoint on Guidance Which Suggests Several High Priority Items,” the Washington Update includes:

- The President released, in late February, the proposed FY 2010 education budget for elementary and secondary education. The budget lacked details on programmatic funding, but reiterates priorities in the ARRA. In late March, the House and Senate began the budget resolution debate from which will evolve negotiated budget limits for large categories such as Labor, Education, and HHS (i.e., Function 500). Specific items will be determined by education appropriation committees beginning this summer.
- Comments by Federal Officials, Policy Influencers, and Key District Leaders Suggest Secretary Duncan’s Priorities and Opportunities Under the AARA Stimulus Funding and \$5 Billion “Race to the Top” Incentive Fund and Other Competitive Grants.
- In mid-March, the SIIA held its Annual EdTech Government Forum in which high-level USED and association officials pointed to numerous opportunities under ARRA for software and related publishers.
- A new Institute of Education Sciences practice guide addresses response-to-intervention and multi-tier interventions in primary grades. It suggests criteria which should be used by district RTI teams to select instructional interventions.

- A new Senate Oversight Committee has called for greater details about how stimulus funding will be used and greater tracking of job creation and/or retention attributed directly to different stimulus funds. The Office of Management and Budget (OMB) will likely be providing continuing guidance on the use of funds, contractual and other instruments, and reporting on job creation/retention -- most likely below the district level.

The state profile updates include evolving information about how individual states, and in some cases districts are planning to use the various pots of stimulus funding. The use of funding for Title I and IDEA are predictable, while the governors' use of stabilization funding is up in the air. Additional items covered in the state profiles include ways states are dealing with budget shortfalls, raising the dropout age, and new charter schools.

**April 9, 2009** - Special Stimulus Funding Alerts entitled "Stimulus Funding Alert: School Improvement Grant Guidance" and "Stimulus Funding Alert: Updated State Fiscal Stabilization Fund Program Guidance" were sent to subscribers. Also included was a listing of school districts across the country that are receiving the largest shares of the Title I stimulus funding.

### **May 2009**

*April 28, 2009* – In addition to the "Special Stimulus Funding Alert: New Guidance on Homeless Children and Quality Zone Academy Bonding Guidance," the Washington Update includes:

- An updated report from the Sloan Consortium which confirms continued rapid growth in K-12 online learning and identifies other trends that could provide opportunities for firms providing online programs/services. Use of online tutoring/remedial programs and courses for credit recovery are two such opportunities; another not addressed directly by the report is college remediation tutoring for enrolling veterans who can receive "vouchers" for up to \$1,200 for college remediation which will likely be delivered online.
- A recent report by the highly respected National Commission on Teaching and America's Future calls for the creation of "learning teams" to stave off the largest teacher retirement wave in history. The "learning teams" concept fits very closely into the notion of "professional learning communities" (promoted by Candidate Obama) which can foster collaboration in turning around low-performing schools, one of the major "examples" of allowable uses of stimulus funding under several components.
- USED officials and recent research findings provide further hints as to what is likely to be included in the \$3+ billion School Improvement Grant (SIG) guidance to states, expected shortly.

**April 29, 2009** - A TechMIS Special Report entitled "Preliminary Title I Allocations to Districts Receiving Significant Increases" was sent to subscribers.

**May 13, 2009** - A TechMIS Special Report entitled "Administration's Priority Initiatives Being Funded Through Redirected Title I Basic Grants While Prescriptive Approaches Are Encouraged Through Incentives and Increased Federal Control Over Competitive Grants" was sent to subscribers.

## **June 2009**

*May 28, 2009* – In addition to the “Special Stimulus Funding Alert: Policy Evolving on Section 613 (Local Adjustment Provision) Conditions Under Which Districts Can Use 50 Percent of IDEA Increase to “Free Up” Local Funds,” the Washington Update includes:

- In two recent reports, Governors and Chief State School Officers laid a foundation for increased funding and a framework for improving the quality of Extended Learning Opportunities/afterschool programs which could provide new marketing opportunities immediately and in the long run. A preliminary review of district plans to spend Title I stimulus funding suggests the vast majority of initial obligations/expenditures will focus on expanded summer school programs and subsequent afterschool programs.
- In an E-Rate update, we have identified districts which are receiving potential E-Rate refunds for purchasing non-eligible products and services. Also included are findings from a recent Government Accountability Office survey which identified the perceived high-demand eligible E-Rate services and products applicants will likely be purchasing and the highest non-eligible product priority -- increasing the number of or replacing existing computers for students and library patrons.
- Some small- to medium-sized districts under certain conditions can offer good opportunities for purchases of high-cost products and services which have low-reoccurring costs; these similarly-situated districts are those receiving large percentage increases in Title I funds and also are eligible to take advantage of the Section 613 local adjustment provision to free up an amount of local resources using up to 50 percent of their increase in IDEA funds.
- A recent report, cited by Secretary Duncan in recent speeches, from the Broad and Gates Foundations urges SEAs, and in turn districts, to use “transparent performance contracts” and similar approaches to turnaround the lowest-performing schools, including middle and high school “dropout factories.” While the report urges that these schools be closed and then reopened to be operated by charter school entities, there are numerous opportunities for performance-based types of contracts to be used by many TechMIS subscribers who can partner with districts using School Improvement Grants and related funding to help these schools exit from corrective action or restructuring status. Inclusion of performance guarantees also increases the probability of approval of multi-year contracts beyond the two years restrictions on the obligation of stimulus funding.
- Under “Miscellaneous Items,” TechMIS subscribers should be aware of
  - a) A new practice guide regarding district selection and use of RTI approaches to assist students having difficulties with mathematics at both the elementary and middle school levels.
  - b) A regulatory change which would allow school districts to receive Medicaid reimbursement for certain related services, amounting to \$4 to \$5 billion over five years. Such reimbursements are used by many districts to purchase instructional software and materials.
  - c) A guidance modification issued on May 11<sup>th</sup> which strongly implies that states and districts that use stabilization stimulus funding for new facilities construction will not be considered for competitive funding under “Race to the Top” competitive grants; this should increase the amount of stabilization funds, where possible, to be used for in-classroom-type instructional materials and related

purchases.

- d) Passage by the House of the 21<sup>st</sup> Century Green High Performing School Facilities Act which, however, may fail to generate support in the Senate.

Topics addressed in the state profile updates include Federal stimulus funding, state budget issues, performance-based pay initiatives, instructional materials purchasing, and new assessment structures.

## **July 2009**

*June 30, 2009* – In addition to the “Special Stimulus Funding Alert: Update on IDEA Section 613 50% MOE, Which is Good News for Most Subscribers,” the Washington Update includes:

- A recent survey by the Afterschool Alliance found a growing pent-up demand for expanded afterschool/summer school programs which have been created by the current recession. However, one can expect big increases in use of Title I regular and stimulus funding, particularly over the last 18 months to two years to expand such programs. Moreover, under recent changes in Title I final regulations and waivers, the number of districts allocating an increased portion of the 20 percent SES set-aside to continue such afterschool programs after stimulus funds run out should increase dramatically, creating funding streams beyond September 2011 for firms after earlier wise investments have been made using stimulus funds.
- In a Commentary article in Education Week followed by a speech before the National Charter School Association Summit in mid-June, Secretary Duncan discussed at least four models which USED will support with School Improvement Grant funds to “turn around” chronically lowest-performing schools. At least one model, which is likely to be used by most districts, would provide opportunities for TechMIS subscribers as in schools in restructuring would replace curriculum, provide extensive training for new and old staff and extend learning opportunities in afterschool/summer school settings. Opportunities would also exist for firms with data-driven decision-making tools and other applications which can facilitate the above initiatives.
- A new policy brief published by the Center on Education Policy confirms the largest increase ever in Federal funds for school improvement as we predicted last year, while pointing out different conditions in the use of funds under the two major funding sources, this could result in different implementation schedules among states and the availability of funding streams after September 2011.
- A number of “obstacles” are being overcome which will increase dramatically the amount of SEA allocations of ARRA Title I and IDEA stimulus funding to districts beginning in July. However, expenditures by many districts of certain portions of the stimulus funding will await USED final guidance or “official guidance modifications.”
- During the June 10<sup>th</sup> AEP annual summit Capitol Hill Breakfast, Democratic and Republican key committee staffers responsible for drafting the reauthorization of ESEA (NCLB) suggested that there exists significant bi-partisan agreement on most issues, but for a variety of reasons such reauthorization will await another year or two.
- A number of miscellaneous items are included:
  - a) The planned grant application and funding schedule for “Race to the Top.”
  - b) A proposed list of eligible services and products under the E-Rate discount

- program for 2010 funding year.
- c) Submission of the 21<sup>st</sup> Century Skills Incentive Fund Act authorizing \$100 million annually for grants to states implementing 21<sup>st</sup> Century Skill initiatives.
  - d) A letter sent by Secretary Duncan to Chief State School officers encouraging them to in turn encourage districts to apply for Quality Zone Academy Bonding (QZAB) which has \$2.8 billion in additional ARRA stimulus funding which can be used for among other things curriculum upgrades and replacement in eligible schools.
  - e) Applications for grants under the \$143 million Teacher Quality Partnership Program which reflects the types of training approaches and use of technology that the Administration will likely support in other grant competitions such as SIG and “Race to the Top.”
  - f) Grant application for the next round of funding Striving Readers, slightly more than \$7 million for new grants which reflect the types of activities the Administration will likely prescribe in Striving Reader and related literacy initiatives which are expected to increase 5-10 fold at the middle and high school level under the proposed FY 2010 Budget and a new literacy bill now in the Senate.

State profile updates include updated information on stimulus funding and state budgeting issues.

**July 10, 2009** – A Special Stimulus Funding Alert entitled “Stimulus Funding Alert: Recently Released Draft USED Non-Regulatory Guidance on “Waiver Requests” Would Slightly Reduce the Number of Districts Identified for Improvement Which Could Operate Their Own SES Programs; However, “Freed-Up” SES Set-Asides Funds Would Create Additional Opportunities for Firms With Certain Products” was sent to subscribers.

**July 21, 2009** – A Special Stimulus Funding Alert entitled “Stimulus Funding Alert: New School Improvement Grant Guidance Will Likely Include the Use of a Comprehensive Intervention (as an Alternative to Charter Schools/EMO’s and Closing Down Chronically Lowest-Performing Schools) Which Could Provide the Better Opportunities for Firms Whose Products Can Fit Into the Comprehensive Intervention” was sent to subscribers.

**July 24, 2009** – A Special Report entitled “USED Announces Proposed Priorities, Requirements, Definitions, and Selection Criteria and Process for Race to the Top funds and Requests Immediate Comments for Further Refinement in Final Guidance to States” was sent to subscribers.

### **August 2009**

*August 5, 2009* – In addition to two Special Stimulus Funding Alerts: *Race to the Top Proposed Guidance Update: “Clarifications” Point to Evolving Priorities and Strategies* and *New USED Guidance on State Education and Technology (Ed Tech) Program Reflects ARRA/Race to the Top Priorities and Emphases, Creating Both Immediate and Long-Term Potential for Firms*; the Washington Update includes:

- During an SIIA breakfast summit at NECC, the new Assistant Secretary for Innovation

and Improvement, Dr. Jim Shelton, who will be developing and implementing Guidance for the Innovation Fund grants program shared his thoughts, which he indicated would be reflected in the guidance to be published shortly.

- An update, based on interviews with state and other officials during SETDA/NECC, on the use of stimulus funds and Section 613 freed-up resources for technology purchases. Subscribers need to make sure district and SEA officials are aware of these new funding opportunities.
- Districts receiving large regular Title I increases will receive increasing ARRA stimulus funds under certain state conditions, thus providing even greater reasons for firms to target these districts.
- The Institute of Education Sciences will seek applications to develop and evaluate specific interventions to address specific problems in chronically lowest-performing schools.
- House and Senate Education Appropriations Committees mark up their versions of the FY 2010 Education Appropriations Bill, differing with the proposed Obama budget on key money issues, while apparently agreeing with a new priority thrust related to middle school/high school literacy.
- E-Rate update on districts with “potential” E-Rate refunds for purchasing non-eligible products and services.
- Miscellaneous Washington Updates include:
  - a) Results from a recent Simba survey on technology purchases.
  - b) Nomination of Alexa Posny as Assistant Secretary for Office of Special Education and Rehabilitative Services which should be good news for virtually all TechMIS subscribers.
  - c) An unexpected announcement that the Phase II remaining amounts of IDEA and Title I ARRA stimulus funding, totaling almost \$12 billion, will be released to SEAs 30 days earlier than planned, on or about September 1<sup>st</sup>, and in turn to districts; this should prompt states to request waivers for Title I carryover and Title I 20% SES set-aside -- good news for most TechMIS subscribers.
  - d) NECC/SETDA interviews/discussion re Section 613.

State profile updates include information on the availability and use of Federal stimulus money, state budget problems, state assessments, charter schools, and IDEA’s Section 613 provision.

**August 20, 2009** – A Special Report entitled “Final District Title I Allocations and Maximum Per Student Expenditures for SES Could Take on a Different Meaning Due to Stimulus Funding and How it is Treated by States/Districts Which Will Create Different Opportunities,” and a Stimulus Funding Alert entitled “While States Are Expecting to Receive Their Portions of the \$3.5 Billion School Improvement Grants Funding in February-March, They Are Beginning to Allocate Other School Improvement Funds to Districts With Lowest-Performing Schools Now; Even Though Confusion Over Allowable Uses Exists, Firms Should Begin Approaching Districts/Schools Now to Get a Foothold as Many of the Same Districts Will Receive A Lion’s Share of the \$3.5 Billion Stimulus Amount Early Next Year” were sent to subscribers.



## **September 2009**

*September 2, 2009* – In addition to a Special Stimulus Funding Alert: *Proposed School Improvement Grant Regulations Would Define Criteria to be Used in Selecting Schools to Receive Three-Year Grants of \$1 Million or More to Turn Around Lowest-Performing Schools -- Including Non-Title I High Schools and Feeder Schools -- Using One of Four Interventions, Two of Which Offer Greatest Opportunities for Most TechMIS Subscribers*; the Washington Update includes:

- An August survey by AASA which found that most of the initial stimulus funding is being used to backfill budget holes; however, some existing stimulus funding is being used for professional development and purchasing classroom technology equipment, materials, and software; proportionately more of the second half of Title I, IDEA, and even Stabilization Funds will likely be spent on these products and services.
- USED plans to allocate more administrative funds to SEAs to meet increased ARRA data collection requirements which will provide incentives for states to request waivers for most allowable areas, such as excluding the Title I stimulus portion from calculating the 20 percent SES allocation creating different types of opportunities.
- A new report from the Campaign for Education Equity estimates that more than half the states are likely to have some remaining funds after restoration of state education cuts through the use of Stabilization Funds; in the states who reported “remaining funds,” districts will receive allocations in proportion to their share of state Title I funds which can be used in a flexible manner creating opportunities for firms with products that do not easily fit under IDEA or Title I.
- In a recent speech, Secretary Duncan outlined the priorities and framework for allocating competitive funds under the Fund for Innovation, indicating that guidance will be published this fall.
- Included in this TechMIS are several miscellaneous items including:
  - a) A lobbying effort by Civil Rights groups to allow states impacted by hurricanes Katrina and Rita to be allowed flexibility in the use of 2010 Census data collection to ensure evacuees to other locations who are planning to return are counted as residents of Louisiana, Mississippi, and/or Texas as appropriate. In Louisiana, the difference could range from \$15 million in Federal education aid without the flexibility to over \$100 million with such flexibility.
  - b) Reliable sources confirm that the Gates Foundation has provided \$250,000 each to 15 states to hire consultants to help them fill out applications for Race to the Top based on Gates’ prior working relationship with the 15 states and the Foundation’s belief that the states are on the “right path to reform.”
  - c) USED has awarded Upward Bound grants of \$250,000 each to seven colleges to help veterans develop academic and other skills.

The topics addressed in many of the states included in the State Profile Updates include state budgeting issues, Federal stimulus funding, Race to the Top readiness, charter schools, and state standards.

**September 15, 2009** – Three TechMIS reports were sent to subscribers:

- A TechMIS Special Report entitled “New USED Title I Guidance to Drive Reform and Improve Results for Students Includes Subtle New Changes Creating Some Opportunities for Firms With Appropriate Products and Services”
- A TechMIS Special Report entitled “Comments on Proposed Race to the Top Priorities and Guidance, Especially Relating to Turning Around Lowest-Performing Schools Which Will Also Be Targeted With School Improvement Grants; Major Education Groups Agree on Major Issues but Differ Greatly from Those of Reform Groups Cited by the Administration Which Suggest an Emerging Battle Over Policy Changes; TechMIS Subscribers Should Consider Implications and Decide What Groups to Support”
- A TechMIS Stimulus Funding Alert entitled “Newest Guidance on Use of IDEA Regular and Stimulus Funds Emphasizes Serving Both Students With and Without Disabilities in General Education, and Suggests Examples of Allowable Uses of Funds, Which Could Assist Firms in Positioning Products and Services”

### **October 2009**

*October 1, 2009* – The following Washington Update Topics were included in the October report:

- More detailed comments on draft regulations for School Improvement Grants by major education groups which call for a greater flexibility and support the so-called transformation model which, if taken seriously by the Administration, could have positive implications for most subscribers.
- An update on the new Title I guidance concerning use of regular and stimulus funds which, not only provide greater opportunities for firms wishing to partner with “Identified” districts who operate their own SES and wish to expand training to non-Title I staff, but also suggest the best opportunities are in Title I schoolwide programs and more centralized district-level decision-making.
- Secretary Duncan provides several hints of most important changes/provisions in proposed ESEA reauthorization which are consistent with his testimony before Congress in July 2008 on NCLB changes he felt should be needed; some are already being implemented through the regulation/waiver process and others included in Race to the Top and related competitive grants; however, reauthorization is likely one to two years away.
- USED issues clarifying guidance for LEA reporting on use of ARRA funds in creating or retaining jobs, which could provide firms an opportunity to gain a competitive edge if they have a capability and are willing to assist LEAs in preparing such reports.
- The most recent GAO report on “draw downs” by states and “expenditures” by districts of stimulus funding is misleading and shows wide variation among states due to SEA “regular” reporting procedures; subscribers should expect major Title I and IDEA purchasing cycles to begin in October using both Title I and IDEA regular funds, as well as the recently-released last 50 percent of Title I and IDEA stimulus funding.
- Miscellaneous Items:
  - a) Senator Harkin appointment good news for special education funding
  - b) GED test taking increases for college enrollments
  - c) NIMAS implementation update
  - d) Early Reading First grants awarded

- e) House passes HR 3221 with new Obama initiatives with funding uncertainty

State profile updates address a number of issues including state budgets, assessments, charter schools, online instruction, and Race to the Top preparations.

### **November 2009**

*October 29, 2009* – In addition to two Special Reports entitled “USED Approval of Waiver Requests from States Strongly Suggests the Nature and Extent of Immediate and Future Sales Opportunities Created in Districts in Waiver States,” and “Draft Regulations on Investing in Innovation Fund Suggest a Number of Considerations Firms Should Take Into Account in Deciding Whether to Participate and, if so, With What LEAs and/or Entities”; the Washington Update includes:

- Center on Education Policy’s comments on draft School Improvement Grant regulations recommends high priority be placed on the transformation model, which is based on its recent findings of a study of four states implementing Differentiated Accountability Models. It also recommends that the “so-called restart model,” which it says is a “code word” for charter schools, should be eliminated or should not be the only model used in any district receiving SIG grant funding. A recent report from the Brookings Foundation, by former IES Director Russ Whitehurst, also recommends a lower priority be placed on use of charter schools, but rather replacing curriculum in lowest-performing schools with a research-based curriculum.
- While USED policy guidance on IDEA Section 613 remains unclear and continues to be contested by education groups such as AASA, the proposed date by which states have to report on whether each district meets conditions in order to take advantage of the option has been extended to May 2011, which can provide opportunities for firms with specific types of products and services following SEA policy and guidance.
- International Association for K-12 Online Learning comments on USED guidance would support open source integration into School Improvement Grants.
- New policy brief from Alliance for Excellent Education Focuses on nation’s dropout factories, identifying districts with the largest numbers which could be the districts which will be receiving large portions of School Improvement Grants targeting Tier II schools.
- We have also included several miscellaneous items with contacts for additional information for those who are interested, including:
  - a) A recent report of the Rockefeller Institute of Government which predicts a new round of budget shortfalls which will likely lead to mid-year budget cuts plus further spending cuts and tax increases; the Institute also predicts that most states will face budget gaps in this fiscal year and the next and probably for one or two additional years.
  - b) A recent Institute of Education Sciences report found little differences between the use of structured, enhanced math and reading programs and regular tutoring programs used in after-school programs. Only in mathematics were the first year’s results better than the comparison group. Other studies have found that well-implemented after-school academic and enrichment programs have been effective.
  - c) A new report from GAO found that 30 states have reported recent cuts or plan

future reductions in spending on testing required under NCLB because states have to make trade-off decisions between the cost of development and scoring versus security. The report suggests that opportunities may exist for firms providing assessment services in the area of increasing test security.

- d) The number of returning Iraq war veterans applying for tuition and other reimbursements under the new GI bill has increased to over 250,000, but processing claims has taken longer than expected according to recent testimony by Department of Veterans Affairs officials. Discussions with VA officials indicate that any compilation of new enrollees having to take tutoring and remedial courses, for which they are allowed an additional \$1,200 above tuition, is difficult to ascertain now and such data will not be available for another four or five months.
- e) During the last several weeks, a number of teacher groups or projects have received grants that fit into Secretary Duncan's priorities. Some of these grantees or entities directing recently funded projects could represent potential partners for some TechMIS subscribers in joint efforts under the Innovation Fund grant program.

State profiles include information on state budget issues, charter schools, and state RTI frameworks.

**November 18, 2009** – Two Stimulus Funding Alerts, one Special Report and three Washington Update items were sent to subscribers:

- *Stimulus Funding Alert:* Final Rules and State Application for Race to the Top Competition Include Several Major Changes by Placing a High Priority and Selection Points on District Buy-In, Use of Transformation Model in Turning Around Lowest-Achieving Schools, Use of Local Data Systems to Continually Improve Instruction, and Promotion/Rewards for Great Teachers and Leaders By Linking Student Growth to Teacher/Principal Performance
- *Stimulus Funding Alert:* Final Race to the Top Rules Allow Transformation Model to Become the Predominant Alternative Selected by States/Districts in Turning Around Lowest-Achieving Schools; This Creates Much Greater Opportunities for TechMIS Subscribers, Not Only for Race to the Top, but Also for School Improvement Grant Funding
- *Special Report:* Comments from Several Groups on Draft Investing in Innovation Guidance Recommend Well Thought Out, Substantive Changes, While Others Indicate How Influential Groups Will Likely Participate, Suggesting Possible Opportunities for Partnerships With Some TechMIS Subscribers
- Washington Update items:
  - Highlights of President Obama's speech and Secretary Duncan's press conference in Madison, Wisconsin on November 4<sup>th</sup> which provides a context for some of the final changes in Race to the Top and increased priorities which address concerns of teacher groups and district administrators.
  - Highlights of a conference call for reporters across the country (not the Washington Press Corps) in which Secretary Duncan expanded on the changes in the release of the final rules for Race to the Top grants competition which provides further in-depth

- context as to the reasons why such changes were made and why others were not.
- USED announces the final reporting and other requirements which states must meet in order to receive the final \$11.5 billion in State Fiscal Stabilization Funds; in order for states to receive Race to the Top funding, they must also meet these requirements of which about a third are new and relate to the area of turning around lowest-achieving schools, which may deter some states from applying for Race to the Top first round grants.

## **December 2009**

*December 4, 2009* – In addition to a Special Report entitled “USED Releases its Fourth Version of Non-Regulatory Guidance on Title I and Uses of Funds Which Have Direct Implications for Firms With Certain Types of Products and Services and also for Districts’ Eligibility to Receive Title I ARRA Funding,” the Washington Update includes:

- An analysis of the most recent AASA survey which provides trend information on the impact of the recession and ARRA stimulus funds on districts’ (mostly small ones) instructional programs and material purchases. Caution is advised as the largest portion of Title I and IDEA regular funds had not been allocated to districts when the survey was taken. In addition, less than two percent of the respondents were from districts with 25,000 or more enrollments.
- Highlights of the State Education Technology Directors Association (SETDA) education forum in early November which addressed the stimulus funding situation this year, but presented a general pessimistic view for technology funding the following year as the “falling off the cliff” effect takes hold. Most state technology directors would like to join forces with Title I because of its funding levels, but are mostly unaware of specific opportunities in Title I for technology purchases now.
- A new report from the U.S. Chamber of Commerce suggests states which might have a leg-up in creating conditions for reform in the Race to the Top grant competition -- particularly on the *State Success Factors and Great Teachers and Leaders* criteria categories, which together constitute more than half of the possible points. Individual state-by-state ratings under a number of criteria such as “Hiring and Evaluation,” “Strength of Alternative Certification,” “Removing Poor Performing or Incompetent Teachers,” “Pay for Performance,” and other criteria are provided in the report which was compiled over a two-year period.
- Under the Miscellaneous category, items include:
  - a) A brief published by the Alliance for Excellent Education identifying five critical competency areas which secondary teachers should be able to demonstrate.
  - b) The most recent online learning policy survey by the Center for Digital Education which provides trend information on growth in student enrollment and suggests opportunities in rural districts which are likely to receive School Improvement and related competitive grants.
  - c) The Bill & Melinda Gates Foundation announced it will provide \$300 million to several districts and a charter school consortium which could also be prime candidates to receive stimulus funding under Race to the Top or i<sup>3</sup> funds. At press time, Gates had also announced that planning grants up to \$100,000 would be made to nine school districts and charter schools to develop proposals under

Investing in Innovation competitive grants, including Philadelphia, New Haven, New Orleans, Minneapolis, Houston, and several consortia.

- d) USED's plans to require districts to report individual teacher salaries on a school-by-school basis and other expenditures of funds could affect how Title I comparability requirements will be calculated; this could have a negative impact on the use of technology to provide support and improve working conditions, especially for newer, lower-paid, teachers in working schools in corrective action or restructuring.
- e) A new report from the Center on Education Policy which identifies state trends in the use of exit exams and recommends that states should increase funding to ensure all students are prepared to take such exams and are given assistance in preparing for test retakes if they do not pass on the first try.
- f) Our October 29<sup>th</sup> Special Report on states with approved waivers has been updated to include more recently approved waiver states including Arkansas, California, District of Columbia, Florida, Hawaii, Idaho, Maryland, Nebraska, Nevada, New Jersey, North Dakota, Oklahoma, Oregon, and South Carolina.
- g) E-Rate Update on Districts With "Potential" E-Rate Refunds for Purchasing Non-eligible Products and Services.

The State Profile Updates include a number of trends among states in such areas as Race to the Top and i<sup>3</sup> application planning, foundation grants, online education, and budget cuts.

**December 10, 2009** – A Stimulus Funding Alert and a Special Report were sent to subscribers:

- *Stimulus Funding Alert: Final Regulations for the \$3.5+ Billion in School Improvement Grants Contain Some New Subtle Changes Which Have Direct Implications for TechMIS Subscribers Who Plan to Target Eligible Districts/Schools Which Will Receive Competitive Grants Early Next Year*
- *Special Report: State Leaders' Priority Initiatives for ARRA Stimulus Reforms, Including Turning Around Lowest-Performing Schools, Differ from Administration's Perceived Effective Approaches, Suggesting the Types of Products and Services Which Will Have the Greatest Demand, Especially if States' K-12 Budget Constraints Worsen Next Year*

**December 17, 2009** – A Special Report was sent to subscribers:

- *Special Report: As Expected, the Federal FY 2010 K-12 Education Budget Increases Funding for Teacher Incentives and Charter Schools, With Other Programs, Such as Title I and IDEA, Level-Funded; Existing Literacy Programs Will Undergo Significant Changes*



## **2010 TechMIS Washington Update Topics**

### **January 2010**

*January 13, 2010* – In addition to a Special Report entitled “New/Expanded Opportunities Through Permitted (“Encouraged”) Activities Under SIG Transformation and Turnaround Models,” the Washington Update includes:

- For most TechMIS subscribers, several reasons strongly suggest that the priority competitive grant funding source which should be targeted is School Improvement Grants.
- A new study on “expanded time” in schools points to several activities, products, and services that are likely to be used in School Improvement Grant interventions which involve expanded time -- particularly in the transformation and turnaround models for lowest-achieving schools.
- The latest survey conducted by the Government Accountability Office (GAO) on LEA planned uses of ARRA funds finds that professional development, technology, and instructional materials head the list of planned uses of Title I and IDEA ARRA funds beyond those funds used for job retention; not unexpectedly, variation among the 16 states in the survey are significant. GAO also found more SEAs allowing more districts to take advantage of IDEA Section 613 Local Flexibility.
- Over the last year, new and/or expanded flexibility in Title I and IDEA regulations and various versions of USED guidance have eroded certain “prohibitions” under NCLB, thus providing good opportunities for firms now.
- The most recent NCES Annual Technology Survey of Districts focuses on new areas and identifies possible opportunities for products in high-poverty districts/schools which will be receiving the lion’s share of School Improvement Grant and related funding in the immediate future, particularly in the area of online instruction, assessment, and related delivery.
- National Governors Association and National Association of State Budget Officers have published their semi-annual report on the fiscal survey of states which suggests that, in most states, fiscal recovery will not be immediate.
- Miscellaneous Items:
  - a) The Gates Foundation is providing \$13 million grants to colleges to develop remedial math learning materials to be made available at no cost.
  - b) Influential practitioners provide advice on ways to turn around lowest-achieving schools.

State profile updates cover a range of areas including charter schools, Race to the Top preparation, State budgets, graduation rates, and teacher evaluations.

**January 28, 2009** – A Special Report entitled “Race to the Top State Applications: Analysis of Opportunities” was sent to subscribers.

**February 17, 2010** – Three Special Reports and Washington Update items were sent to subscribers:

- *Special Report:* The President’s Proposed FY 2011 Budget Would Increase K-12 Funding by About \$4 Billion, Most of Which Would be Contingent on Legislative Changes, Including Quick Reauthorization of ESEA Which is Highly Unlikely
- *Special Report:* Highlights of National Association of State Title I Directors Annual Conference of Interest to AEP Members
- *Special Report:* New Flexibilities in Expanded School Improvement Grant Guidance Changes the Number of Eligible Schools and Funding Per School Allocation from \$500,000 to \$2 Million Annually; it also Allows Schools Which Exit from Improvement to Continue Receiving SIG Funding if Approved by the SEA
- Washington Update items:
  - A brief analysis of several proposals and/or initiatives which strongly suggest that the Community Schools market niche will likely expand dramatically under this Administration, creating new opportunities for firms with products that can be used to facilitate community school and student support activities, many of which are required under Race to the Top and School Improvement Grant guidance.
  - Miscellaneous items:
    - a) Expansion of a lobbying effort on the part of the Education Industries Association and ESEA Coalition to prevent further erosion of supplemental education services (SES) funding and requirements through the Secretary’s waiver authority and the ESEA reauthorization.
    - b) A recent announcement by Massachusetts Insight in which it will be partnering with six states to advise them in their School Improvement Grant funding amounting to about \$45 million and an additional \$30 million in private grants. Massachusetts Insight and its “collaborators” which include Education Council, Education First Consulting, Education Research Strategies, KSA Plus Communications, The New Teachers Project, The Parthenon Group, and Turnaround for Children will likely continue to not only influence, but also take lead roles in school turnaround efforts in these six, plus additional states.
    - c) A recent USED report on LEA use of data systems to support reform found that districts’ greatest perceived needs are in the area relating to data-driven decision making and how to connect student performance data to instructional practices, which could provide opportunities for firms which can facilitate such linkages.
    - d) An in-depth analysis of the creation of six state consortia which are evolving to compete for the \$350 million in Race to the Top money earmarked for improved tests. Most states are members of several consortia whose major foci range from the creation and use of adaptive testing to curriculum embedded performance-based tests scored by teachers to help guide instruction.
    - e) Excerpts from a question and answer session following the Secretary’s FY 2011 budget press conference in which USED officials’ responses suggest that policy-related matters which are likely to be included in the ESEA reauthorization are still being developed.
    - f) Earlier this month, the White House announced the initial rollout of \$183 million in awards to expand broadband access in 17 states over the next

several months.

Also included are state profile updates highlighting individual state activities related to Race to the Top, School Improvement Grants, and other Federal funding.

**March 11, 2010** – Two Special Reports were sent to subscribers:

- *Special Report:* Governors to Secretary Duncan: We Need More Money if Reform is to Occur and Flexibility Once We Get the Money
- *Special Report:* The Independent Center on Education Policy Sets the ESEA Reauthorization Stage with 10 Recommendations, Most of Which are Similar to the Administration’s Likely Proposed Changes, but Differ Providing More Flexibility than Secretary Duncan’s Prescribed Activities for School Improvement Grants

**March 24, 2010** – Two Special Reports and Washington Update items were sent to subscribers:

- *Special Report:* Preliminary Title I Allocations to Districts Receiving Significant Increases
- *Special Report:* White House and USED Officials Outline Policy Priorities and NCLB Changes While Panelists at the SIIA EdTech Forum Point to Issues and Concerns About Current Policies and Proposed New Initiatives
- Washington Update items:
  - Our analysis of the final rules for the i<sup>3</sup> Innovation Fund competitive grants in which few, if any, of the major concerns of the for-profit sector that were included in their comments on the October 6<sup>th</sup> draft rules were addressed or clarified. When the question of for-profit firms’ opportunities to partner with applications was posed to i<sup>3</sup> Innovation Fund Director Jim Shelton (noting that a response to an email question had not been received from his office as of March 22<sup>nd</sup>) he stated that the question could be addressed in an updated Frequently Asked Questions guidance “to be published shortly.”
  - In light of the increased emphasis on parent and community engagement in RTTT and SIG grants, the National Parent Teacher Association has formulated its policy agenda to double the amount of Title I funds for parent involvement in most Title I districts and to otherwise strengthen parent engagement as part of the ESEA reauthorization.
  - The Duncan Administration is being pressured to pay greater attention to rural districts’ concerns and issues regarding new initiatives.
  - State Education Agencies’ interpretations of USED criteria, which SEAs must use in identifying persistently lowest-achieving schools to be eligible for Tier 1 and Tier 2 funding under School Improvement Grant (Part G) initiative are creating major LEA problems with respect to district preferences as to which schools to serve; funding allocations to many SEAs are being delayed pending USED/SEA negotiated settlements.
  - Miscellaneous Items:
    - a) Highlights of a March 19<sup>th</sup> webinar by The Rural School and Community Trust Organization encouraging eligible rural districts to apply for i<sup>3</sup> Innovation grants and how the Trust could help them and groups with

“innovative” solutions.

- b) A recent report by the Center on Education Policy found that one-third of U.S. public schools have failed to meet adequate yearly progress (AYP) in 2008-09 and, in nine states, over half the public schools did not meet AYP. The report also includes SEA websites which list such schools.
- c) Supplemental instruction materials sales should increase by 5.3% in 2010 to \$5 billion.

**April 12, 2010** – A Stimulus Funding Alert entitled “USED Provides Updated Guidance on the Investing in Innovation Fund (i<sup>3</sup>) Which Attempts to Clarify Whether i<sup>3</sup> Grantees Can Use Grant Dollars to Purchase Products or Services from For-Profit Entities and Use For-Profit Firm Research in Order to Meet “Evidence Criteria” for Selection” was sent to subscribers.

### **April 2010**

*April 29, 2010* – The following Washington Update Topics were included in the April report:

- The most recent American Association of School Administrators survey on the impact of reduced state funding on district expenditures has found that more districts are planning cuts/deferrals of instructional-related purchases next year compared to this year in anticipation of the so-called Federal “funding cliff” at the end of next year. The survey responses were, for the most part, from rural district superintendents and were not a representative sample.
- Related to the above, USED’s most recent spending report on ARRA stimulus funds estimated that only about a quarter of the \$22 billion in stimulus funds for IDEA and Title I have been obligated by districts through mid-April even though the amount of outlays per state varied from 2% to 100%. In states/districts which did not receive waivers to carry over more than the 15 percent limitation for Title I funds this year to next may offer opportunities for a May/June purchasing cycle.
- The most recent School Improvement Grant guidance (March 24<sup>th</sup>) provides some additional flexibility for districts regarding replacing principals, but continues to adhere to the priority focus on eligible Tier I and Tier II schools. Only under certain conditions can Tier III schools be served using SIG funds this year.
- Highlights of comments by Secretary Duncan and Education Committee Chairman Miller before the Council of the Great City Schools Annual Legislative Conference and the general impressions we gleaned from attendees in offline interviews with other policy makers on ESEA reauthorization, burning issues, and district’s officials’ priorities. .
- Several new reports suggest that alternative schools, particularly those in rural school districts, could provide good opportunities for firms with certain types of products and services such as online or professional development and explicit instruction.
- The Health Reform Act recently passed by Congress includes more than \$40 billion in increased funding for Pell grants, but excludes about \$12 billion which was set aside for American Graduation Initiative, the Open Learning Initiative, and proposed Early Learning Challenge grants.
- The most recent National Education Technology Trends Report by the State Educational Technology Directors Association (SETDA) found that, in FY 2008, enhancing teacher effectiveness by providing professional development remained a highest priority use of

Title II-D (E<sup>2</sup>T<sup>2</sup>) technology funding with increased use of online delivery and collaborative learning. Priority academic content areas include technology literacy, mathematics, reading, and science, in that order.

- Miscellaneous Items:
  - a) Secretary Duncan has joined Chairman Tom Harkin of the Senate Appropriations Subcommittee in calling for an Educator’s Job Bill to be funded at \$23 billion which could be used for salaries and benefits to retain or hire school staff; Senator Harkin called it “emergency spending” which does not need to be offset by other revenue. Chances for early passage are good.
  - b) USED has begun releasing the last third of SFSF allocations to states; a number of states will likely be reallocating remaining funds, after state funding budget holes have been filled, to districts using the Title I allocations for the most “current year.” If the \$23 billion jobs bill is passed, then even more states will be able to reallocate portions of SFSF funds to districts.
  - c) The \$350 million competition for consortia of states to develop comprehensive assessment systems and high school end-of-course tests has been announced with proposals due June 23<sup>rd</sup>. At least two state consortia will likely submit proposals.
  - d) CCSSO official who directs the Common Core Standards Initiative identifies possible opportunities for supplemental education publishers if and when the Common Core Standards Initiative is implemented.
  - e) The W.K. Kellogg Foundation has awarded a \$1.4 million grant to the Rural School and Community Trust to provide funding assistance to rural districts to hire professional grant writing support in order to apply for i<sup>3</sup> grants.
  - f) Included in the Health Care Reform Law recently signed by the President is \$250 million over five years will be available to states wishing to continuing “abstinence only” programs; it also includes \$375 million over five years for “comprehensive” approaches to sex education.
  - g) The Council of the Great City Schools calls for Secretary Duncan to exercise his waiver authority over NCLB provisions for AYP calculations to identify schools identified for improvement and to reduce the 20 percent set-aside for SES and public school choice if ESEA is not reauthorized this year.
  - h) The U.S. Department of Education has begun approving state applications under the School Improvement Grants (SIG) program.

The State Profile Updates cover a number of areas including state approaches to Federal funding programs (School Improvement Grants, Race to the Top), state budgets, charter schools, college readiness, graduation rates, and online learning.

**May 18, 2010** – Two Stimulus Funding Alerts were sent to subscribers:

- *Stimulus Funding Alert: Education Stabilization Funding Update: States Which are Most Likely to be Reallocating Remaining Stabilization Funds to Districts in Proportion to Title I Allocations*
- *Stimulus Funding Alert: i<sup>3</sup> Stimulus Funding Update: April 30<sup>th</sup> Addendum Likely to Have Copyright Implications for Firms Participating in Winning i<sup>3</sup> Grants*

## **May 2010**

*May 27, 2010* – The following Washington Update Topics were included in the May report:

- A new report based on a survey conducted last fall by the Council of the Great City Schools describes initiatives undertaken by 40 of the 66 large district CGCS members using ARRA stimulus funds and suggests a number of opportunities which exist in many districts including:
  - a) increased opportunities for firms to partner with districts that provide their own SES;
  - b) district-level purchases as ARRA funds decision-making is increasingly becoming centralized;
  - c) use of Section 613 maintenance of effort option money to free-up local resources which can be used to purchase professional development and products; and
  - d) uses of Title I ARRA funds to upgrade instructional programs, purchase supplemental materials, provide Response-to-Intervention strategies and behavioral supports.
- The new annual Response-to-Intervention Adoption Survey 2010 projects continued growth in the RTI niche market with a major expansion in 2010-11 school year for behavioral and math interventions and professional development in middle and secondary schools. RTI strategy “components” which are likely to be in highest demand include data-driven decision-making tools to help inform instruction, research-based academic interventions, tools to foster teacher collaboration, and problem-solving approaches. Professional development for teachers across all of the above and overall RTI strategy implementation will also be in very high demand.
- In response to criticisms of the proposed “blueprint” and proposed FY 2011 budget, Secretary Duncan now supports doubling the Title I parent involvement set-aside in large districts to 2% and allow states to set aside about \$145 million for competitive grants to expand evidence-based parental involvement practices.
- A new survey of current and aspiring teachers and administrators conducted by *Project Tomorrow* identifies technology-related opportunities based on educators perceived needs and also suggests who to approach with certain products and services. Aspiring teachers feel a great need for professional development in using online curriculum and textbooks, learning management systems, and technology to differentiate instruction for students.
- Retiring House Appropriations Committee Chairman Obey’s skills in the appropriations process will be sorely missed, while a greater loss could be his influence over education legislation in the ESEA reauthorization process.
- Pressures on Secretary Duncan to provide greater flexibility beyond the four School Improvement Grant intervention models are mounting from various quarters through either legislative action or regulatory relief, while the question of when is up in the air.
- Miscellaneous Items:
  - a) USED Announces 20 States to Receive \$250 Million for State Longitudinal Data System Initiatives Funded Under the 2009 ARRA Stimulus Portion and Administered by the Institute for Education Sciences at USED
  - b) The Final K-12 and English/Language Arts Common Core Standards is Scheduled to be Released on June 2<sup>nd</sup>, the Day after the Phase II Race to the Top State Applications are DueState profile updates focus on states’ plans to apply under Race to the Top, changes in



State assessment, and the effects of tight state budgets.

**June 16, 2010** – A Stimulus Funding Alert entitled “School Improvement Grant Implementation: State Updates” was sent to subscribers.

### **June 2010**

*July 1, 2010* – The following Washington Update Topics were included in the June report:

- USED has strongly encouraged districts to request waivers of the 15% limitation of regular FY 2010 Title I carryover funds in order to extend the effective date of obligation through September 30, 2012. Moreover, USED, in a national webinar in early June, strongly encouraged districts to draw down and spend Title I ARRA funds quickly; however, two weeks later, the Administration proposed to redirect some unspent ARRA funds including to the teacher jobs retention initiative. Whether this was a “scare tactic” to get districts to spend Title I ARRA funds before June 30<sup>th</sup> or a reverse in policy to get teacher votes in November is unclear.
- ESEA reauthorization update addresses “continuing” Hill discussions, education groups’ alternatives to the Obama-proposed “Blueprint,” and a Duncan initiative to “build” bridges with state legislators to ensure state policy changes already made remain intact after probable governorship and state superintendent turnovers after the November election.
- USED quietly announces rigorous criteria it now says it will consider in deciding whether to approve a state’s waiver request of the IDEA maintenance of effort requirements; where if approved, this could result in reduced expenditures for special education programs next school year.
- Three state consortia vie for \$350 million to develop high-quality assessments aligned to common core standards. Computer-based assessments and scoring, including adaptive testing, are likely to be used in states which adopt resulting tests.
- In a related item, the impact of the common core and assessment development initiatives on the testing industry is analyzed by Thomas Toch, whose insights in the past have been on target; whether the overall assessment effort will be successful is also addressed.
- Online delivery of instruction for different forms of remediation will likely continue to grow significantly, including college remediation, credit recovery, graduation exams testing and retaking, and test preparation (including summer school).
- Districts with potential E-Rate refunds through BEAR process, for purchasing non-eligible products and services have been identified from the most recent E-Rate quarterly reports; some districts are receiving huge refunds from two to four-year-old appeals which have only recently been found to be meritorious.
- Technology using educators provide useful insights on challenges as well as opportunities for personalizing education.
- A number of miscellaneous updates are also provided including:
  - a) House passes reauthorization of America Competes Act, but appropriation levels are questionable.
  - b) NGA report summarizes the fiscal state fiscal situation affecting education funding for FY 2010 and projected for FY 2011.
  - c) The Administration proposes five percent reduction in discretionary funding

- across all agencies.
- d) Mass Insight’s School Turnaround Group releases recommendations on building a “state-level” turnaround office, with a soon-to-be-published report to address building a “district-level” turnaround office.
  - e) A new report concludes that KIPP charter middle schools are successful in reducing achievement gaps among minority students which could support KIPP’s effort to win one of the \$50 million scale-up i<sup>3</sup> grants.
  - f) Senator Michael Bennet, who is closely aligned with the Obama Administration, has proposed the creation of School Leadership Centers for Excellence which would train principals to become turnaround experts.
  - g) AASA provides strong rationale for Congress to pass an Education Jobs Bill, arguing that the net effect would be positive, generating \$32.2 billion in GDP.

Also included are state profile updates which address state K-12 budgetary situations, school improvement initiatives, adoption of the Common Core Standards, Race to the Top applications, charter schools, online learning, and state assessments.

### **July 2010**

*July 28, 2010* – In addition to a Special Report entitled “New Education Market Research (EMR) Report Estimates K-12 Professional Development (P.D.) Market Size Was \$3.6 Billion in 2009-10 School Year, With Annual Growth Rate About Five Percent Over the Last Six Years; However, Our Analysis of Funding Sources and Their Increases Next Year (Not Addressed in the EMR Survey) Suggests that the Districts Projecting Increases Next Year (12% of Districts in the EMR Report) Will Experience Significant Growth as Total P.D. Expenditures Will Likely Exceed \$5 Billion; These Should be Priority Targets for Most Professional Development Firms,” the Washington Update includes:

- The House Appropriations Subcommittee has proposed an FY 2010 bill which would increase Title I and IDEA by less than five percent, but would reduce funding levels proposed by the President for Race to the Top and Innovation (i<sup>3</sup>) grant funding; the next action will be taken by the Senate Appropriations Subcommittee, expected during the final week in July.
- A bill which could have negatively impacted K-12 sales in Title I and special education niche markets was averted as the Senate Appropriations Subcommittee voted down a House amendment to save 140,000 teacher jobs through an Edujobs Bill by using “offsets” from ARRA funds for Title I, IDEA, Race to the Top, among other Obama Priorities.
- The Center on Education Policy survey of a “purposeful sample” of 233 districts found that over half of districts receiving Title I and IDEA ARRA funds used some of the funds to retain or create jobs, while at the same time, over 50 percent of districts use some of their ARRA Title I funds to purchase “materials and supplies and/or instructional hardware and software” and also used some IDEA ARRA funds to purchase assistive technology, “Notable portions” of districts used these funds on specific types of professional development. While findings from other studies by AASA, GAO and the Council of the Great City Schools (previously highlighted in recent TechMIS Washington Updates) were corroborated by CEP, others were not confirmed by CEP in

this nationally representative study, which can be generalized to school districts across the country.

- Advocates of Response-to-Intervention (RTI) approaches have recommended inclusion of RTI statutory language in the reauthorization of ESEA to ensure “fidelity of implementation” in order for RTI to be successful with at-risk students; similar sentiments have been expressed by high-level USED officials and called for in recent National Center for RTI guidance. The question is whether more prescriptive Federal law and guidance is required to ensure successful implementation of RTI approaches at the district level.
- Project Forum, conducted by the National Association of State Directors of Special Education (NASDE) in a cooperative agreement funded by USED/OSEP, has identified a myriad of distance learning issues and made recommendations with action plans, some of which could have serious implications for firms involved in different ways in the fast-growing virtual K-12 public school environment which provides services for students with disabilities.
- During the USED sponsored one-day Rural Education Technology Summit, Secretary Duncan announced the creation of the National Learning Registry to make available digital content from Federal agencies such as the Smithsonian Institution, among others. Rural district participation in the i<sup>3</sup> Innovation Grant initiative was also discussed with the i<sup>3</sup> Director Jim Shelton and Rural Trust officials.
- A number of miscellaneous updates are also provided including:
  - a) Guidance by two prominent authors on using RTI approaches with English language learners.
  - b) A stated commitment by Secretary Duncan to “require” parent and community input at the district level during the implementation of School Improvement Grants in its proposed ESEA reauthorization; enforcement could actually occur now in districts using the transformation model.
  - c) Media coverage of the rapid growth of online learning/assessment continues with several recent in-depth articles about individual firms’, recent related acquisitions, and important factors school district officials take into account in partnering with eLearning firms.
  - d) The National Research Council has developed a conceptual framework around which the next generation of K-12 science standards would be developed.
  - e) The Rural School and Community Trust announced it will assess whether the i<sup>3</sup> grant process was fair to rural districts as part of a consortium of education groups joining the “Formula Fairness Campaign,” which will also address the Title I formula which the Trust argues is unfair to rural districts, favoring large urban districts.
  - f) A new study has found that providing financial incentives to twelfth-grade students to treat NAEP tests in a serious manner has increased student NAEP scores. Other studies have found non-financial types of incentives using “rewards and recognition” platforms have also increased student academic achievement.
  - g) As of July 23<sup>rd</sup>, 43 states have had their SIG applications approved. An updated table of tentative schedules in these states, as stated in their applications is provided.

The state profile updates cover a variety of topics including state assessments, School Improvement Grants, online education, state funding, and Common Core Standards.

**August 5, 2010** – A Special Report entitled “Senate-Proposed FY 2011 Budget Would Increase Title I and IDEA by Amounts Similar to House-Proposed Increases, but Would Place a Higher Priority on Early Childhood Learning and High Schools While Reducing Amounts for Some of the President’s Priorities More than the House Version” was sent to subscribers.

**August 19, 2010** – A Special Report entitled “\$10 Billion Ed Jobs Initiative Passed by Congress: An Update on Offsets, Guidance, and Implications” was sent to subscribers.

### **August 2010**

*September 1, 2010* – The following Washington Update Topics were included in the August report:

- In what appears to be a well-orchestrated series events by The New York Times, Education Committee Chairman Miller, and Secretary Duncan, hearings are being planned and new USED guidance will be provided shortly on selection of and contracting with external partners under the \$3.5 billion School Improvement Grant fund. All TechMIS subscribers should benefit indirectly, and opportunities could be created for those who wish to take a proactive role, especially in the hearings.
- Secretary Duncan announces nine states and the District of Columbia as winners of the Race to the Top during his August 24<sup>th</sup> press conference and lobbied Congress for more funding next year to conduct a Phase III competition. Numerous critics chide Secretary Duncan for not including Louisiana and Colorado.
- A major political battle is surfacing, as the ESEA reauthorization heats up, between after-school advocates (such as the Afterschool Alliance) and Extended Learning Time (ELT) proponents which could affect how more than \$1 billion is spent over time, and who controls how the money is spent with what entities.
- A long-awaited descriptive study of the 21<sup>st</sup> Century Community Learning Centers program has finally been released by USED; it provides some useful information to firms with products and services that can be used in 21<sup>st</sup> CCLC after-school centers.
- A number of miscellaneous update items are also provided including:
  - a) In the August 5<sup>th</sup> Federal Register, USED announced 13 proposed priorities for appropriate discretionary grant programs for FY 2011 and in future years. Some of the priorities and definitions (strong and moderate evidence) are relatively new and could be important in the Secretary’s competitive grant applications and guidelines.
  - b) Policy influencers comment on Senate appropriations language operationally defining “strong” and “moderate” evidence for SIG in FY 2011.
  - c) In light of the emerging political battle between after-school advocates and Extended Learning Time proponents, another bottom line question is how much of the “required” and “permitted” uses of funds under School Improvement Grants and Race to the Top will be used for extended learning time or for more traditional after-school programs. An alternative put forth by the relatively new National Summer Learning Association could represent a compromise.

- d) The Obama priority, Promise Neighborhoods Initiative, is being embroiled in a political debate fueled by research findings by former IES Director Russ Whitehurst at a time when Congress is experiencing greater concerns about costly new/expanded Obama initiatives.
- e) The Annenberg Institute has created a database of more than 2,100 schools identified as the most persistently lowest performing schools from which the vast majority of Tier I and Tier II schools will be funded this year and next.
- f) Forty-eight State SIG applications are approved with stated implementation schedules, which will likely have been extended in most states.

The state profile updates cover a range of issues including improvement on State assessments, state budget situations, online education, adoption of Common Core State Standards, and Ed Jobs funding.

### **September 2010**

*September 29, 2010* – The following Washington Update Topics were included in the September report:

- The envisioned two state assessments, which are aligned with Common Core Standards, will create new opportunities for technology use, according to a September 2<sup>nd</sup> announcement by Secretary Duncan. “Smart” technologies will likely be used to provide accommodations for certain students with disabilities and English language learners; and beyond administration of assessments, technology use increases could spill over into the instruction arena.
- An updated guide published by the recent merger of the American Institutes of Research with Learning Point Associates, and written by Public Impact officials, provides recommendations and suggestions to district/school officials responsible for selecting and contracting with external partners and forming partnerships to turn around failing schools. The update references pages in the guide should be of the greatest interest to subscribers who wish to serve as lead or support external providers under School Improvement Grants.
- Mass Insight, which in 2007 published what Secretary Duncan called the “Turnaround Bible,” according to Secretary Duncan, has published a new report on school turnaround models currently used in six districts with which Mass Insight has been partnering for the last several years. Results achieved by the partnerships involving six districts and four lead partners are also highlighted. Recommended responsibilities for lead partners include three- to five-year performance contracts in which the lead partners are held accountable for improved student achievement.
- A new analysis by Center on Education Policy has found that less than 12 percent of districts in its national representative sample survey had implemented any of the four SIG models; however, of the six percent of districts which have implemented the “transformation model,” over 90 percent reported positive results. Recent anecdotal data and discussions with SEA officials which are responsible for SIG implementation suggest that most prevalent model will be the transformation intervention which, however, will vary somewhat among the states in actual implementation. Firms will need to have a modular, flexible “solution.”



- The number of students classified as having specific learning disabilities has declined by about one percentage point between 2001 and 2008, or about 300,000 students, with most knowledgeable observers attributing the decline to general reading instruction improvement through the use of Response-to-Intervention approaches and other initiatives under NCLB, including Reading First and other NCLB AYP provisions. Expansion of RTI will continue regardless of mid-term election results.
- Mid-term election results could have significant impacts on some new education initiatives and education funding as a result of anticipated turnovers of governorships and state legislation chambers, thereby reducing Democratic majority control. Some states' Race to the Top initiatives may be slowed down.
- In September, a number of White House/Presidential announcements highlighted the release of several reports and recommendations designed to spur the momentum of Federal science, technology, engineering, and math (STEM) initiatives; however, with increasing support from non-profit foundations and firms, unless Congress reauthorizes the America Competes Act and provides increased appropriations, most advancements in STEM will occur at the state and district level as part of other well-funded Federal initiatives such as Race to the Top and i<sup>3</sup> innovation grants.
- New USED Guidance on use of \$10 billion Ed Jobs Fund attempts to clarify eligibility of charter schools, but is silent on guidance for Education Service Agencies which is "creating a messy situation."
- A number of miscellaneous items are also provided including:
  - a) A new guide by William Slotnik, Executive Director of the Communities Training and Assistance Center (CTAC) and published by the Center for American Progress, provides advice to SEAs in working with LEAs and lead partners to turn around failing schools; it diverges from the narrow focus of SIG funds on Tier I and Tier II schools. A winning strategy must also focus on certain district-wide reforms.
  - b) The Center on Education Policy recent analysis and report finds that state assessments and NAEP test results have become more similar over the last decade, which makes it easier for publishers to align content with both assessments.
  - c) If Congress votes to extend Bush-era tax cuts or remove them, a dozen or more states' fiscal situations will be affected. For example, if all tax cuts expire, Idaho, Minnesota, North Carolina, North Dakota, Oregon, South Dakota, Utah, and Vermont should expect increases in state revenues without legislators having to vote on a state tax increase.
  - d) On September 21<sup>st</sup>, Secretary Duncan announced that 21 communities will receive planning grants under the Promise Neighborhood initiative. The Senate-proposed FY 2011 budget would increase planning and implementation grants under Promise Neighborhoods from 10 million this year to 20 million next year; however, the Senate Report language states that, during the lame duck session, the Senate would consider the nature of organizations receiving current planning grants in deciding whether to propose greater funding for next year.
  - e) The FCC has approved several changes in the E-Rate program which have implications for TechMIS subscribers (most positive, some negative).
  - f) University researchers, led by Peabody College at Vanderbilt University, have



reported that the use of incentives for teachers based on student performance, by itself, does not constitute an effective intervention strategy to improve student outcomes; while the randomized control evaluation design was praised by some researchers, alternative designs will likely to be used in evaluating schools receiving \$442 million in recently awarded Teacher Incentive Fund grants, which take into account teacher “buy-in.”

- g) The new GOP “Pledge to America” could have an immediate impact on education funding or spending if a Republican takeover of Congress occurs as a result of the November mid-term elections. Several GOP-proposed initiatives -- such as rescinding unspent education ARRA stimulus funding (over \$10 billion) -- might cause districts to accelerate spending of obligated funds that currently remain unspent; it is likely, however, that the President will veto such GOP rescission efforts.
- h) The first update on Race to the Top winning states’ scopes-of-work to guide districts receiving Race to the Top funding, in terms of their required and permitted activities using such funds, is summarized. The Massachusetts scope-of-work is scheduled to be updated momentarily. Other states’ scopes-of-work will be included periodically as they are posted and analyzed.

The state profile updates address state actions regarding the allocation of Ed Jobs funding, Race to the Top, assessment results, teacher licensing/retention, charter schools, and online learning.

### **October 2010**

*October 27, 2010* – In addition to a Special Report entitled “Latest Government Accountability Office (GAO) Report Confirms that a significant portion of Title I, IDEA and SFSF Stimulus Funds Were Used to Purchase Computer Technology, Instructional Materials, and Professional Development for Instructional Staff,” the Washington Update includes:

- A new coalition of civil rights groups and education industry SES providers was recently launched as “Tutor Our Children” to ensure SES provisions remain in the ESEA reauthorization and that further erosion through the regulatory process of SES set-asides for third-party private providers does not occur. Meta-analyses of the effectiveness of SES on student achievement suggest district-operated SES programs are three times more cost-effective than private providers.
- A new NCES survey describes how teachers are using specific types of technology applications with their students; this could have direct implications for targeting schools and types of teachers, depending on the nature of the instructional program/application. Other topics addressed include availability and use of computing devices and software, student use of technology, types of teacher preparation to use technology for instruction, and general levels of teacher satisfaction. Heaviest use of technology is generally in high-poverty-enrollment schools.
- The Gates Foundation created collaborative, “Next Generation Learning Challenges” (NGLC) will be providing \$20 million for projects to increase the adoption of proven technologies and practices to improve college readiness and completion, particularly among low-income young adults. Grants of \$250,000 to \$750,000 will focus on adopting blended learning models, improving learning analytics, fostering deeper learning and

engagement through “richly interactive technologies,” and developing high-quality modular openly-licensed core coursework to improve student achievement. Similar to USED’s i<sup>3</sup> Innovation Grants, it is not clear as to what role private for-profit firms can play in participating in funded projects.

- In October, USED announced grant awards to two consortia of states to improve alternative assessments for cognitively-impaired students (the so-called one percent group of students who receive special education services). One consortium is headed by the National Center on Education Outcomes at the University of Minnesota which will receive \$45 million; the other is led by the University of Kansas Center for Research funded at \$22 million. Like the two previously-funded consortia to develop the regular state assessments for Common Core Standards, the resulting alternative assessments will likely rely heavily on the use of “smart technology,” follow Universal Design Principles, and place a greater emphasis on formative assessments.
- Massachusetts Insight has published a toolkit on evaluating school turnaround initiatives which could have implications for external lead or support partners in school districts with schools receiving School Improvement Grants and directly related funding who adhere to the recommendations and suggestions. Some suggestions are counterintuitive. For example, initial needs assessments should focus on existing data at the district and school levels rather than collecting new data, and one might expect disciplinary actions to increase rather than decrease during the initial year. Student achievement test scores are not likely to show increases until after the second year.
- Based on recent discussions and school improvement panel discussions, most veteran superintendents who have been involved in successful school turnaround efforts have perceived solutions or at the least “key ingredients” for success which need to be taken into account as firms approach them to participate as lead or support partners.
- A New Jersey advocacy group for “fair” funding opportunities in public schools has recently released its “national report card” on states which assesses whether K-12 funding is fair in terms of funding, distribution, state fiscal effort, and public school coverage. In response to growing interest in Congress about ensuring greater fairness in state funding distribution among poor and wealthy districts, the Federal Fairness Campaign to increase fairness in the formula distribution of Title I funds to districts is also gaining momentum. “Fairness” may become a “burning issue” for debate in the reauthorization of ESEA.
- New National School Boards Association survey of district technology advocates finds professional development, not cost/funding, as major barrier to technology use.
- Proposed Head Start regulations could result in low-performing Head Start grantees recompeting for continuation grants and possibly be replaced by new grantees, which could open up new opportunities for firms with appropriate products.
- A number of miscellaneous items are also included:
  - a) Interest in best practices using RTI approaches with English Language Learners continues to grow; NCEO researchers suggest the use of “dynamic testing” which assesses how well ELL students learn a specific task that is new to them.
  - b) In September, the Johns Hopkins University School of Education’s Center for Data-Driven Reform in Education, in its Best Evidence Encyclopedia (September), identified a number of early childhood programs which meet its rigorous criteria of strong evidence. Increasingly, school district officials consider the Best Evidence Encyclopedia as an alternative to the USED/IES What

Works Clearinghouse as a source of recommended research-based programs and practices.

- c) An E-Rate update on districts with potential E-Rate refunds for purchasing non-eligible products and services which we attempt to summarize at the end of each quarter.

The state profile updates focus on a number of topics including state budget issues, Federal funding, state assessments, released teacher evaluations, charter schools, and the upcoming elections.

**November 12, 2010** – A Special Report entitled “New USED School Improvement Grant Part G Guidance Addresses Allowable Uses of 2009 Carryover and 2010 SIG Funds for Pre-Implementation Phase (Now Through Summer 2011) and the Use of a ‘Rigorous Review Process’ for Selecting External Providers” was sent to subscribers.

### **November 2010**

*November 19, 2010* – The following Washington Update Topics were included in the November report:

- A Title I webinar addressed probable policy implications of the mid-term election results and funding options to be addressed in the lame duck session. Dr. Richard Long, Executive Director of the National Title I Association, shared his perceptions and predictions (which are very similar to ours) regarding issues which will be addressed soon in Congress -- lame duck education funding, regulatory relief developments, and related issues.
- During the annual State Education Technology Directors Association (SETDA) Education Forum, Secretary Duncan highlighted his priorities, including funding for activities related to the five goals of the newly released National Education Technology Plan. He envisioned technology playing a major role in the development and implementation of national assessments aligned with Common Core State Standards, differentiated instruction, individualized learning throughout the school year, increasing school productivity (which is a heightened priority), overall school improvement, and helping students succeed in college and careers.
- Policy positions and priorities among chief state school officers were highlighted by the Council of Chief State School Officers’ Executive Director, Dr. Gene Wilhoit, during the SETDA Education Summit. More than 16 new chief state school officers will be in place in the immediate future. Generally states’ policy will focus more on improving individual student achievement rather than school improvement. The to-be-developed state assessments will drive instruction in states which may not adopt Common Core standards and individualizing instruction to improve student performance will become more important.
- A new preliminary report on “ARRA Investments in Technology, Innovation, and K-12 Reform,” released in early November by SETDA, addresses how such funds have been used thus far. Its survey of state members also reported that most SEAs reserved ARRA E<sup>2</sup>T<sup>2</sup> funds for the 2010-11 school year and many LEAs do not plan to expend such funds

completely until at least April 2011, if not later. This has direct implications for the timing of firms' sales of technology and related services to LEAs.

- The most recent Project Tomorrow's *Speak-Up* survey findings point to continued growth in the use of mobile technology as the classroom environment and climate becomes more conducive. The survey findings corroborate many predictions of increased use of technology to personalize and individualize student instruction.
- A recent report raises new questions of the underlying biases, core practices, and naiveté about the implementation processes of multi-year grants such as Race to the Top and i<sup>3</sup>; however, because of accusations of political favoritism influencing winners, numerous observers have predicted that, very quickly next year, the new GOP House leadership will initiate its oversight authority, which will include investigations and subpoenas related to Race to the Top and i<sup>3</sup> grant processes.
- Pressures are mounting from numerous quarters on the Obama Administration to provide "regulatory relief" as a stop gap measure prior to comprehensive ESEA reauthorization in 2013. If implemented, recommended SES charges could benefit most TechMIS subscribers.
- A number of miscellaneous items are also included:
  - a) Highlights of the recent NCES report on the characteristics of the ten largest school districts 2008-09 which has new information categories that can be helpful in deciding which districts to target.
  - b) Education programs included in the draft report of the President's Commission on Fiscal Responsibility which are likely to be recommended for severe cuts as part of the overall government-wide deficit reduction effort.
  - c) An update to the Next Generation Learning Challenges, funded by the Gates Foundation, with suggestions for private firms.
  - d) E-Rate update on districts' potential E-Rate refunds which can be used for purchasing non-eligible products and services.

State profile updates include items relating to state budgets, education funding, dropout/graduation rates, charter schools, college remediation, Race to the Top implementation, and school/district accountability.

## **December 2010**

*December 15, 2010* – The following Washington Update Topics were included in the December report:

- In a recent speech before the conservative-leaning American Enterprise Institute, Secretary Duncan called for the use of technology to increase productivity, arguing that, for K-12 to get the "biggest bang for the buck," it will not only have to eliminate waste, but also change the structure and delivery of education. Traditional concepts of seat time, teacher salary increases based upon credentials, among others must be changed in order to realize the benefits of technology.
- USED released data on the types of schools and intervention models used in SIG grants in 44 states, indicating that almost half of the 730 Tier I and Tier II schools are high schools and more than 70 percent are using "transformation" models. An unofficial list of these schools is included in this TechMIS report.

- The America’s Promise Alliance released a report which found the number of high school dropout factories has declined 13 percent between 2002 and 2008 -- from 2,007 to 1,746 -- and called for a Civic Marshall Plan to build a “Grad Nation” targeting the remaining 1,746 dropout factories, and about 3,000 additional high schools in which graduation rates are less than 75 percent. The new Civic Marshall plan could generate a grassroots campaign which could influence the demand for certain products using School Improvement Grant and related funding to turn around high schools and increase graduation rates.
- A new partnership has been announced by three national advocacy groups supporting after-school and summer learning intended to increase STEM literacy for about 20 million children currently enrolled in after-school and related programs; the partnership would redirect program emphasis from remediation and enrichment to project-based, hands-on, STEM-related literacy which, in turn, could increase opportunities for firms with appropriate content and professional development.
- USED has initiated an extensive review of its competitive grant programs, including Race to the Top, i<sup>3</sup>, Teacher Incentive Fund, and Promise Neighborhoods, while at the same time doubling its Title I auditing staff whose sole focus over the next six months will be on the implementation of School Improvement Grant programs at the state and district level. These activities relate to anticipated Congressional hearings, investigations, etc. by House Republicans next year; state and district efforts, time, and energies are likely to refocus on ensuring compliance at the expense of implementing SIG activities. Districts could be seeking advice from firms participating as partners.
- A number of miscellaneous items are also included:
  - a) Education Jobs Fund spending is expected to increase significantly early next year.
  - b) In its annual report, Pre-K Now details of states’ pre-k funding for 2011, reporting slight increases from \$5.3 billion to \$5.4 billion over 2010.
  - c) Several interview tidbits, as well as official statements by incoming Chairman of House Education & Labor Committee, John Kline (R-MN), suggests he will be a reform-minded consensus builder who will oppose further “Federal intrusion” into local decision-making, while supporting significant increases in IDEA special education funding.

The state profile updates include issues relating to: state Race to the Top progress, Common Core Standards, state budgets/funding, performance-based teacher pay, college readiness/enrollment, district/school rating systems.

## **2011 TechMIS Washington Update Topics**

### **January 2011**

*January 18, 2011* – The following Washington Update Topics were included in the January report:

- The Continuing Resolution (CR) through March 4<sup>th</sup> would level-fund all education programs, with the new Congress likely attempting to pass an appropriations bill after the President submits his FY 2012 budget in mid-February; the House will likely pressure the Administration for reductions in some education discretionary programs and possible rescissions of unspent ARRA funds which could result in a worsening situation for K-12 education when compared to a better alternative of a CR through September 30<sup>th</sup>, which would level-fund education programs; a CR could also include some language providing greater flexibility in the use of the SIG transformation intervention model.
- An early report by Center on Education Policy (CEP) on states' plans to implement Common Core Standards (CCSS) identifies planned state initiatives as well as challenges; professional development and curriculum revision initiatives reportedly will be undertaken before some of the more complex initiatives related to assessments and teacher evaluations for accountability purposes. Because the survey was conducted in October-mid-November before changes resulting from the mid-term elections were made, in some states plans could change.
- The most recent National Conference of State Legislators (NCSL) survey of state fiscal directors strongly suggests that, without new funding, state and Federal reform initiatives will be difficult to implement including many changes enacted/agreed upon in states that applied for, but did not receive, Race to the Top funding. Higher state budget gaps in 2011 will take their toll and, at the least, slow down implementation in many states.
- USED has issued guidance to winning Race to the Top states on proposing amendments to state plans and the criteria which USED will use to determine whether changes are so "substantial" to possibly cause it to withhold funding until final approval; allowed changes are supposed to be posted on USED's website.
- Mass Insight's School Turnaround Group (STG) has identified lessons learned from Round 1 of the School Improvement Grants (SIG) competition and has offered its suggestions for improving its vision of "success" during Round 2, including the need for some districtwide reforms to successfully implement individual Tier I and II school reforms which will continue over time; other suggestions could increase use of "external" partners, such as the STG.
- The American Association of School Administrator's tenth survey, over the last two years, on K-12 economic recovery reports that more teachers will be furloughed next year than were laid off this year and spending for instructional materials, technology, and professional development will also be lower. About a third of districts will be using all of their Ed Jobs funds this year and a third will carry over their funds until next year, with the remaining districts using their funds over the two-year period; this should reduce pressures to use Federal ARRA Title I and IDEA funds to retain teachers, especially among rural districts.
- The Center on Education Policy reports that the movement toward end-of-course (EOC) exams continues, which could be positive for some publishers and technology vendors; because of state fiscal problems, funding for remedial and other programs for students



failing exit exams has declined in a number of states, which is having an impact on this niche market.

- USED recently proposed changes for the next i<sup>3</sup> grant competition -- if such funds become available -- which would give the Education Secretary significantly more discretion in the areas of determining the amount of matching required and which of several selection criteria are to be used by the peer review panels.
- A number of miscellaneous items are also included, addressing:
  - a) USED has announced a \$10 million grant competition for consortia of states to develop English proficiency tests to complement the Common Core State Standards assessments; the consortia will develop a common definition of English language learner and common criteria for exiting a student from English language learner status. The existing WIDA consortium is a strong candidate for funding.
  - b) In an August 6<sup>th</sup> Education Daily interview, Zollie Stevenson Jr., who until recently directed the USED Title I program, recommended that Title I programs use funds for job-embedded professional development on differentiated instruction and training to use equipment purchased with stimulus funds.
  - c) The National Research Council has issued its final report to USED recommending that the funding formula for Title III ELL grants incorporate both state-level counts and Census Bureau data. Currently, Federal funding to states is based solely on Census counts.

The state profile updates include issues relating to proposed state policy changes, school choice, teacher merit pay/tenure, school accountability, Race to the Top initiatives, and technology use.

## **February 2011**

*February 15, 2011* – In addition to a Special Report entitled “As USED Continues to Support Expanded Use of RTI, The Center on Response to Intervention, Funded by USED, Confirms the Flexible Uses of IDEA Coordinated Early Intervention Services (CEIS) Funds (the 15 percent Set-Aside) with At-Risk Non-Special Education Students in Title I Schoolwide Programs and Clarifies the Conditions Under Which IDEA Non-CEIS Funds Can Be Used in Other Schools’ General Education Programs,” the Washington Update includes:

- A summary of new policies and funding trends which point to the expansion of the “college readiness” and “remediation” niche market at both the K-12 and college level, which could provide expanded opportunities for TechMIS subscribers. A lengthier report which can be used as a resource by TechMIS subscribers’ market staff will be sent as a TechMIS Special Report before the end of February. An edited version of the enclosed summary will also be included in the SIIA Post-Secondary Market Report in the Spring.
- In the first of a number of ESEA reauthorization updates, an analysis and commentary is provided on key Senate Republican leaders list of nine “fix-it” areas which should be addressed before serious consideration of a “more comprehensive” reauthorization.
- While the President’s State of the Union Address set the tone for proposed education reforms and funding overhaul, a White House Fact Sheet posted on the day of the State of the Union contained some specifics on what might be expected in the Administration’s budget and reauthorization proposals. On February 14<sup>th</sup>, the President’s proposed FY 2012 budget calling for a \$2 billion increase for USED, including increases for Race to

the Top, i<sup>3</sup>, SIG, and Title I was released. About the same time, the House GOP released its proposed \$10 billion reduction for USED in the current Continuing Resolution through September 30<sup>th</sup>. With such polarized, wide differences, any substantive analysis must await until at least the initial negotiations between the White House and Congress, after which time we will prepare our detailed analysis and report. The President's proposed FY 2012 is similar to the proposed FY 2011 "Blueprint" which was analyzed in our February 17, 2010 TechMIS Special Report.

- USED has doubled the number of staff to conduct monitoring and auditing in 12 states, but will focus only on use of funds in School Improvement Grant implementation, not Title I regular or Title I ARRA. Firms with appropriate products and services that can assist district staff in facilitating monitoring visits to help districts justify use of funds should have a "leg up" on the competition.
- Discussions with exhibitors and Title I officials during the National Title I conference in Tampa revealed a number of "takeaway trends," which reflect changing district priorities.

The state profile updates focus on a range of issues, many covered by Governors' state-of-the-state addresses, including education budgets, online education, charter schools, school improvement plans, performance-based teachers pay, and state assessments.

**March 1, 2011** – A Special Report entitled "Policy and Funding Trends Point to Expansion of College Readiness and Completion (College Remediation) Niche Market which Could Provide Expanded Opportunities for TechMIS Subscribers" was sent to subscribers.

### **March 2011**

*March 16, 2011* – In addition to a Special Report entitled "Secretary Duncan Encourages Governors to Use "Smart Ideas" and to Take Advantage of Existing ESEA "Flexibilities" to Meet Local District Needs Created by Reduced State and Local Budgets," the Washington Update includes:

- A new report from the Center on Education Policy on states' progress implementing reform strategies which suggests what levels -- SEA or district -- firms may wish to target with products and services that can be used to implement different reform initiatives. CEP also identifies those initiatives which are likely to "hit a wall" because of state funding crises next year. This report's findings are based on interviews conducted through November 2010 with SEA deputies or their designees.
- Following the above report released in early February, CEP then released another report based on an additional survey conducted through January with State Title I Directors entitled "Early State Implementation of Title I School Improvement Grants Under the Recovery Act." This particular report amplifies and updates some previously reported findings.
- The two Common Core Standards assessment state consortia have received an additional \$15 million each to develop instructional and professional development materials, tools, and "curriculum units" to help consortia member states adopt their respective common core aligned assessments. The two budget amendments approved by USED in January are unclear about how publishers and other vendors could participate in the two add-on projects.

- USED has announced new priorities for its discretionary grant programs which now included a new Priority 6 for “technology” and a slightly revised priority 16 “improving productivity” which now includes “innovative and sustainable uses of technology.” Since December 2010, Secretary Duncan and other high-level officials have called for increased use of technology to increase K-12 productivity in numerous “bully pulpit” speeches and documents.
- The latest USED report on how Title IIA Teacher Quality \$2.5 billion funds have been used shows an increase over the last few years in the portion used for professional development. About \$250 million in 2009-10 was used for professional development in non-academic/subject areas, including differentiated instruction, classroom management strategies, and Response-to-Intervention approaches.
- USED announces invitations to SEAs to apply for \$178 million in FY 2010 funding under Striving Readers competitive grant, which includes definition of “Evidence-based” to replace scientifically-based research (SBR).
- During its February annual convention, AASA called for “regulatory relief immediately and full funding for IDEA if a comprehensive ESEA reauthorization will not occur this year.” In mid-March, President Obama is expected to strongly encourage Congress to pass ESEA “fix-it legislation” similar to proposals by both Democratic and Republican Senate leaders.
- Miscellaneous items include:
  - a) Enrollment in community colleges increased 3.2 percent last Fall over the previous year which is significantly less than the 11 percent enrollment increase the year before.
  - b) As of February, about 25 percent of the \$10 billion Education Jobs fund (EduJobs) has been obligated by states to help districts train staff or otherwise provide funds to cover employment related expenses in K-12. EduJobs funds must be obligated by September 30, 2012.
  - c) In the March 2<sup>nd</sup> Special Edition on Response-to-Intervention, Education Week includes a display of all states indicating which states require RTI versus discrepancy models and other approaches to identify students with disabilities. In the four states requiring RTI, districts are not supposed to implement such approaches until all teachers in all schools have the capacity to fully implement RTI approaches.
  - d) Student coaching appears to be a cost-effective way for increasing college student retention and progress according to a recent study by a Stanford University professor and staff.

**March 11, 2011** – A Special Report entitled “School Improvement Grant (SIG) Update: New Guidance for FY 2010 Applications and Competitions Released, Along with an Update of Demographics of Schools Currently Being Served” was sent to subscribers along with the March state profile updates.

The state profile updates address a host of new state activities and/or policies, some of which have been finalized while others are in the courts or in their respective legislatures. These developments include: state budget and funding proposals, collective bargaining and related legislative changes (e.g., increasing student teacher class size limits), proposals to lift charter

school caps and related items, particularly in about half the states which are now under Republican control either in the Governor's office and/or the legislature.

**April 15, 2011** – Two Special Reports were sent to subscribers:

- “FY 2011 Education Budget Agreement Reached With Title I and IDEA Being Level-Funded and Obama/Duncan Priorities, Race to the Top and i<sup>3</sup>, Receiving Funds for New Rounds of Grant Competitions”
- “Possible Scenario for ESEA ‘Reauthorization’ This Year Emerging Along with Key Issues Which Are Likely to be Addressed During Different Phases, Especially the One Focusing on ‘Regulatory Relief’”

**April 2011**

*April 29, 2011* – In addition to a Special Report entitled “Takeaways from SIIA Government Forum April 11-13 on Education Policies, ‘Reauthorization,’ Priority Programs, and Common Core Standards and Assessments” and a Stimulus Funding Alert entitled “Firms Should Target Unspent ARRA Stimulus Funds in Title I and IDEA Now Through End of Fiscal Year,” the Washington Update includes:

- During the Council of the Great City Schools Annual Conference in mid-March, the primary foci of Council staff and member district officials were retaining existing Federal funds for Title I, IDEA, and other major formula programs and regulatory relief in several areas to provide greater flexibility for member districts (e.g., nullifying the 20% SES/choice set-aside).
- Federal funds which have been granted to the two Common Core assessment consortia to develop, not only assessments, but also “curriculum units,” remains a high, legitimate concern to publishers as Congressional and other opposition will likely raise legal questions that could affect implementation.
- The final USED notice for soliciting applications from consortia of states to develop English language proficiency tests for the Common Core Standards state assessments has been modified to ensure that at least two consortia will receive their share of the \$10.7 million grant competition; one goal is to develop an “acceptable” definition and criteria for allowing ELL students to “exit” from English language development programs.
- The influential, conservative Thomas B. Fordham Institute has produced an ESEA “Briefing Book” with recommendations that are likely to be taken seriously by GOP leaders and some moderate democrats in Congress.
- Title I comparability requirements could be changed in the ESEA reauthorization or “fix-it” amendments which could have direct implications for the use of technology.
- Quarterly report on potential E-Rate refunds which could be used to purchase software and professional development.

The report also include state profile updates on a range of issues including: school vouchers, online learning, Race to the Top activities, state high school graduation exams, and teacher agreements on collective bargaining, tenure, seniority, and merit pay.

**May 20, 2011** – Two Special Reports were sent to subscribers:

- “USED Finally Posts FY 2011 Budget Agreement Program Line Items Based on its ‘Interpretations’: Several Administration Priorities, Such as Race to the Top, and i<sup>3</sup> Will Receive Increases for New Competitions, While Title I and IDEA Are Level-Funded”
- “Preliminary Title I Allocations to Districts Receiving Significant Increases”

## **May 2011**

*June 1, 2011* – In addition to a Special Report entitled “USED/IES Releases First Baseline Analysis of School Improvement Grant Applications and SIG-Awarded Schools Which Should Help Firms with Certain Products/Services to Target Tier III, Versus Tier I-II Schools, as well as SEAs,” the Washington Update includes:

- An update on ESEA “reauthorization” which follows fairly closely the scenario which we described in our April 15<sup>th</sup> Special Report: several fix-it amendments and major regulatory relief initiatives in lieu of a comprehensive reauthorization this year. Several fix-it amendments (described later) have already been introduced while different education groups favor different forms of “regulatory relief.”
  - The U.S. Chamber of Commerce released its guidelines for ESEA reauthorization which would continue some of the major NCLB accountability provisions with some flexibility in other areas; one of its priorities is increased financial support for STEM activities.
  - Senator Kay Hagan (D-NC) has introduced the School Turnaround and Rewards Act (STAR) which would codify many of the current SIG regulations and provide greater flexibility in some areas and extend learning time through the use of competitive grants to lowest performing schools; it would also reward successful school turnaround efforts.
  - In a number of states, large percentages and absolute amounts of State Fiscal Stabilization Funds (SFSF) “cumulative available balances” of unspent funds exist. At the last moment, several states could decide to allocate such remaining funds to K-12 districts based on district preliminary Title I allocations which, in combination with cumulative balances of Title I ARRA funds, could represent high levels of funds available for purchases of products and services before September 30<sup>th</sup>.
  - Since our lengthy March 4<sup>th</sup> report on trends and developments in the college readiness/remediation niche market, a number of additional developments have occurred which are included in this update, including a recent survey addressing the growth of distance learning at community colleges.
  - The annual survey of state preschool funding conducted by NIEER has found, for the first time, state funding for early childhood has declined and is now almost \$700 per child served below the 2001-02 level; however, Secretary Duncan recently announced that \$500 million of the \$700 million in FY 2011 Race to the Top funds will be for early learning competitive grants this year. Applications should be available shortly with grant awards being made by December 31<sup>st</sup>.
  - A number of miscellaneous Washington Update items are also included.
- a) A coalition of ten current and former Chief State School Officers, called “Chiefs for Change,” has outlined their principles for ESEA reauthorization which are very similar to the guidelines recently proposed by the U.S. Chamber of Commerce.
- b) The Rural School and Community Trust has worked closely with key Congressional members in the submission of two bills which are designed to level the playing fields for rural districts to help them get their share of i<sup>3</sup> and other competitive grants and otherwise promote “equitable



- funding” within the Title I formula.
- c) USED softens its “state authorization rule” which would affect online programs in every state requiring multiple registrations by one college for all of its courses in each state it sought student enrollees.

The state profile updates cover changes in teacher tenure and collective bargaining policies in a large number of states, state education budget negotiations which continue to occur, and certain state policy changes including graduation requirements, social promotion, and related items.

## **June 2011**

*July 7, 2011* – In addition to two Special Reports entitled: “A Consortium of 40 Plus States Respond to Secretary Duncan’s Call for Regulatory Relief Through Waivers Which Will Provide Greater Flexibility Than NCLB While Ensuring Degrees of Accountability If Full ESEA Reauthorization Does Not Occur Before School Opens,” and “One Target for the Likely ‘Regulatory Relief’ Through the Proposed Waivers Are the NCLB Set-Asides for SES, Parent Choice, and Professional Development as Several Scenarios Are Surfacing, Including Opportunities for Expanded After and Summer School Programs,” the Washington Update includes:

- Included in the RTTT \$700 million appropriations for FY 2011 is \$500 million to support the Early Learning Challenge (ELC), while \$200 million will support a competition for the nine finalist states from Round 2. Draft applications for ELC which identifies possible opportunities for TechMIS subscribers in winning states, are available for comment by July 12 at [ed.gov](http://ed.gov).
- A study, conducted by the Rand Corporation, of “deregulation” of state categorical programs in California suggests the types of initiatives and opportunities for firms, which could occur as such “deregulation” happens in other states.
- USED has announced new priorities for second round of i<sup>3</sup> competitive grants totaling \$150 million and includes “technology” and “increased technology use to increase productivity” as two new competitive priorities. Once again, opportunities for for-profit firms appear to be limited.
- Possible inclusion in “fix-it” amendments of future ESEA reauthorizations are two technology related bills which have been introduced in Congress; one would replace current Education State Technology grant funding (E<sup>2</sup>T<sup>2</sup>) with proposed changes; another would increase the probability that 21<sup>st</sup> Century Skills be integrated across several funding pockets.
- Miscellaneous Washington Update items include:
  - a) Possible use of “remaining” State Fiscal Stabilization Funding in certain states which could be “reallocated” based on district Title I allocations before September 30<sup>th</sup>; firms should monitor this carefully.
  - b) Two pieces of ESEA reauthorization bills have been introduced by Republicans in the House which would eliminate more than 40 current education programs and provide support for expanding charter schools, with another piece anticipated shortly on increasing “funding flexibility.”
  - c) In mid-June, the Next Generation Learning organization, funded by the Bill & Melinda Gates Foundation, announced 19 winners of its \$7 million K-12 grant



- competition, several of which are private sector firms.
- d) USED has provided recent Part B IDEA guidance for using EdJobs funds to count toward meeting “maintenance of effort” (MOE) requirements at the state and district level, which is presenting major problems for certain states (e.g., South Carolina).
  - e) According to the most recent NCES Condition of Education Report, private K-12 school enrollments have dropped from 6.3 million in 2001 to 5.5 million in 2006.
  - f) A new Census Bureau report has found that average per-pupil expenditures increased to more than \$10,500 in 2009, which is 2.3 percent greater than in 2008.
  - g) During the “Naval STEM Reform” in mid-June, the Department of Navy announced plans to double Navy’s investment in STEM to more than \$100 million by 2015.
  - h) A reanalysis of Kaiser Family Foundation survey released in early 2010 has found that the average minority youth use different media 13 hours a day, compared to about 8.5 hours for white youth.

The state profile updates include, for some states, final state funding budgets for K-12 education for this coming fiscal year, while some state budgets are still have to be negotiated before the June 30<sup>th</sup> deadline. Also included are items related to teacher evaluations, new charter school laws, virtual schools, and school choice.

**July 20, 2011** – A Stimulus Funding Alert entitled “Suggestions on Approaching Districts With Unspent ARRA Funds in Title I and IDEA Special Education Programs that Must be Encumbered by September 30<sup>th</sup>” was sent to subscribers.

### **July 2011**

*August 2, 2011* – The following Washington Update Topics were included in the July report:

- New Government Accountability Office Study reports about a third of the states’ \$2 billion portion of Race to the Top funds is being used to develop effective teachers and leaders, while about a quarter is being used at the state level to improve low-achieving schools among the winning Round 1 and Round 2 RTTT state grantees. As of June 3<sup>rd</sup>, only 12 percent of the total first year’s budget of \$800 million has been drawn down.
- While most recent survey data from Center on Education Policy (CEP) concludes that districts face grim reality as a result of continuing budget woes, the data also suggests specific opportunities which could exist in many districts for training and support to use more effectively large amounts of technology purchased with ARRA funds in 2009-10 and most recently.
- New Government Accountability Office (GAO) report on district Title I expenditures prior to ARRA funding suggests likely patterns which could occur this school year after ARRA funds are depleted.
- The House Education and Workforce Committee has passed the State and Local Flexibility Act (HR 2445), the third of an anticipated five GOP “pieces” which would constitute the Republican ESEA reauthorization. A provision allowing districts to

transfer all Title I funds into other Federal programs is being opposed by Democrats, civil rights groups, and most education groups except AASA and NSBA; some consider the provision to be a “bargaining chip.”

- Miscellaneous Washington Update items include:
  - a) More than 1,300 districts and non-profits have submitted letters of intent to apply for grants under the Investing In Innovation program (i<sup>3</sup>) which will award grants to winners by December 31<sup>st</sup>. Opportunities for for-profit firms remain limited.
  - b) In its “State of Learning Disabilities: Facts, Trends, and Indicators,” the National Center for Learning Disabilities reported that the number of school-age children with learning disabilities has declined by 14 percent during the last decade. Some authorities attribute the reduction to higher quality reading programs and expanded district use of response-to-intervention approaches.
  - c) On July 6<sup>th</sup>, USED published the application for Phase II of the Promise Neighborhood Program which would include \$30 million for implementation of last year’s planning grants awarded during Phase I (approximately five grants of \$4-6 million) and about ten new one-year planning grants of \$500,000.
  - d) According to USED, 36 states have sent USED letters of intent to submit applications for the new Race to the Top Early Learning Challenge totaling \$500 million. Specific opportunities for firms depend on details in final guidance and applications yet to be released.
  - e) Senate Bill 1370 to reauthorize 21<sup>st</sup> Century Community Learning Centers (21<sup>st</sup> CCLC) has been introduced with several proposed changes -- STEM, professional development, hands-on learning, and health/nutrition are new priorities.
  - f) According to Education Week (July 12<sup>th</sup>), Carnegie Corporation of New York has provided a \$1 million grant to Stanford University to create English language proficiency standards.
  - g) Two lead writers of the Common Core English/Language Arts Standards have produced “publishers’ criteria” which are designed to help curriculum developers/publishers.
  - h) Revised forecast by market research firm Ambient Insight projects growth of electronic learning technology and services in K-12 will continue in double digits at least through 2015.
  - i) A new report from Bellweather Education Partners recommends changes to allow for-profit organizations to play a greater role in the Investment in Innovation (i<sup>3</sup>) program in the future.
  - j) Continued funding for the Secure Rural Schools and Communities Self-Determination Act funded at about \$400 million annually is in jeopardy next year unless reauthorization or some other funding extension occurs. Districts in 600 counties could have to reduce spending on staff and technology.

This TechMIS report also includes state profile updates which indicate a number of possible trends. For example, numerous state laws are requiring more effective early screening for preK and early education students. Lawsuits are being filed in some states regarding newly passed

teacher evaluation systems and state K-12 expenditures continue to be a mixed bag, with the impact of the funding cliff hitting some states fairly hard. Other key state issues are charter schools, School Improvement Grants, online learning, and teacher-issues.

### **August 2011**

*August 31, 2011* – In addition to three Special Reports entitled: “Noted Authority Outlines Most Probable Scenario for Secretary Duncan’s Plan B for Regulatory Relief through State Waivers and Likely ESEA Requirements for Which Waivers Can be Requested by States Beginning Shortly,” “New Title I/IDEA Working Group Recommends States Develop a Waiver Procedure Allowing Title I Schools Be Provided Exemption from Supplement-Not-Supplant Requirements to Expand Use of Response-to-Intervention/Multi-Tier Systems of Support (MTSS) Approaches Which Will Free-Up More Title I and IDEA Set-Aside Funds for Such Usage,” and “2011 Survey on RTI Adoption Finds a Third of Directly Related Expenditures Are for Professional Development/Coaching and Another Third Are for Supplemental Interventions/Screening/Formative Assessment Tools; About Two-Thirds of Responding Districts Report Current or Planned Full District-Wide Implementation,” the [Washington Update](#) includes:

- A USED letter to SEAs reminds them to ensure various ARRA funding pots are “obligated” by September 30; if not, it could mean a return of such funds to the Federal Treasury and a justification for Congress to reduce future Title I appropriations.
- The most recent Government Accountability Office (GAO) report explains why slow state implementation of School Improvement Grants has occurred at the district level, which the creation of the new School Turnaround Office at USED is supposed to address.
- For the first time, Texas has conducted a state adoption for “supplemental digital science” products which could establish a precedent for future adoptions of “textbooks” in Texas and more than 20 other textbook adoption states. The demand for intervention type science and other products/services most likely will be in high demand over the next several months.
- The latest report from the Center on Budget and Policy Priorities identifies states with budget cuts in preK-12 education during this school year and funding policies, some of which CBPP argues are “unnecessarily harmful,” such as “rainy day funds” which remain unused. Projected cuts in 23 states are identified.
- Proposed cuts from the debt ceiling agreement and action by the Congressionally-appointed Super Committee could have an impact on budgets for IDEA during the “out years.” However, experts believe some states and districts may suffer IDEA funding cuts this year because maintenance of effort levels are not being met.
- New USED website includes a searchable database of every state’s 21<sup>st</sup> Century Community Learning Center projects which could help in marketing and promotion of firms’ products and services.
- A number of important miscellaneous items are also highlighted, including:
  - a) A recent USED letter to Chief State School Officers announcing the availability of state waivers to delay meeting the teacher/principal evaluation requirements under SIG turnaround models; this could suggest other SIG “flexibilities” that might be forthcoming.
  - b) Highlights of an analysis of Federal K-12 budget situation; the status remains

unclear due to different interpretations of the debt ceiling agreement funding cut amounts.

- c) USED releases “final priorities and criteria” to be used to provide \$500 million to states to implement Race to the Top Early Childhood grants. Analyses from several experts note the changes from the draft “priorities” and “selection criteria” identified in our June TechMIS [Washington Update](#); one report identifies more than ten states which are most likely “top contenders” based on their existing commitments to meeting priority criteria and reforms; and the database compiled by the Early Learning Initiative is a useful source for firms identifying states in which demand for certain types of products may increase.
- d) The most recent ACT report “The Condition of College- and Career-Readiness: 2011,” found about 25 percent of ACT-tested 2011 high school graduates met or surpassed all of the four ACT college-readiness benchmarks, up one percent from last year, with over 40 percent not college-ready.
- e) The most recent Phi Delta Kappa/Gallup Poll reports that public support for greater investments in computer technology for instructional use has declined over the last decade, but the public’s perception of specific technology needs by school varies. According to the survey, “the jury is still out” on the public perception of the use of online versus in-person instructional delivery.
- f) An announcement by the FCC that slightly more than \$800 million of last year’s unused E-Rate discounts had been rolled over to this year. Allocations for approved applications continue and recent awards of more than \$100 million to states to expand broadband Internet in rural areas have been made to 16 states.
- g) A new Issue Brief from the National Governors Association (NGA) which recommends the use of online and other technologies to implement dropout recovery initiatives among states, identifying states with exemplary initiatives currently underway.

The state profile updates include reports in several states on second-round funding of School Improvement Grants to districts/schools and cover a number of other areas including: individual state NCLB waiver requests, state funding, state assessment results, and online learning.

**September 23, 2011** – A Stimulus Funding Alert entitled “Suggestions on Approaching Districts With Unspent ARRA Funds in Title I and IDEA Special Education Programs that Must be Encumbered by September 30<sup>th</sup>” was sent to subscribers.

### **September 2011**

*September 28, 2011* – In addition to a Special Report entitled “USED Official Guidance to States on Applying for Waivers in Return for Flexibility Follows Very Closely the CCSSO Next Generation Accountability Principles Developed and Agreed to by More than 40 States Which Will Likely Resemble What States Will Include in Their Requests and the Priorities They Will Implement, Especially in Areas Related to Interventions, With Several Probable Implications for Firms,” the [Washington Update](#) includes:

- Proposed USED guidance to eligible states applying for \$200 Million Phase 3 Race to the Top grants places high priority on advancing STEM education. Six states among the nine finalists are likely to receive increased funding for STEM activities, unless priorities change in the final guidance which we will cover in October.
- A new report on State pre-k-12 funding identifies those states with significant changes in per-pupil allocations in FY 2012 compared to FY 2008 pre-recession and to last year. In states still in dire budget straights, best opportunities continue to be in Federal Title I and related programs.
- New Center on Education Policy report finds almost two-thirds of districts in Common Core State Standards (CCSS) states agree that new or substantially revised curriculum materials in math and English/language arts will be required; however, more districts are developing materials aligned to CCSS than are purchasing them, perhaps because materials are not yet available for purchase, lower costs for districts to develop their own materials, or because districts are waiting for state guidance about curriculum.
- With broad bipartisan support, House passes Charter School Bill; a companion bill was introduced in the Senate shortly thereafter, suggesting that the GOP will be able to point to passage of at least one “piece” of ESEA reauthorization this year. If passed, firms should seriously consider pilot testing new products/services in charter schools and build on USED support for “disseminating best practices” to public schools.
- Center on Education Policy reports on process for states to amend accountability plans as an alternative to using the Secretary’s waiver authority to provide greater flexibility under NCLB. Any state receiving waiver approval under Plan B must eventually amend its accountability plan to reflect such changes which will be posted on USED websites.
- The New Digital Promise Initiative builds upon a “traditional” Federal role in advancing education technology while embarking on a new role affecting marketplace demand, with implications for some technology firms. Major Federal funding increases, however, are not expected in the near future.
- Depending upon the final details, proposed American Jobs Act, if negotiated and passed by Congress, could create some opportunities. Use of QZAB “vehicle” for school facilities renovation funds could include curriculum upgrades and funds to retain teachers could free up other funds for product purchases.
- Senate Subcommittee FY 2012 education appropriations markup would level-fund Title I and IDEA for next year but restore funding opportunities in a number of smaller programs, including Striving Readers. In the absence of current debates and House/Senate direct negotiations, the last minute Continuing Resolution through November 18<sup>th</sup> will have to suffice.
- A number of important miscellaneous items are also highlighted, including:
  - a) In our last TechMIS issue, we referred to a New America Foundation analysis that identified states, which according to its ratings, were good prospects for receiving a portion of the \$500 million Race to the Top Early Learning Challenge grants. Here’s an update.
  - b) The National Center of Technology Integration, operated by the American Institutes for Research, has been notified that it will not receive continued funding from USED and will cease operations on September 30<sup>th</sup>.
  - c) USED recently announced the six states that will be receiving portions of the \$180 million Striving Readers Comprehensive Literacy program grants.



- d) The Federal Communications Commission (FCC) “Learning On-the-Go” pilot program has been initiated in 14 states involving districts, schools, and libraries which are receiving a portion of the \$9 million FCC grant to fund mobile learning initiatives during after-school programs.
- e) USED has released the results of its longitudinal study entitled “Beginning Teacher Attrition and Mobility: Results From the First Through Third Waves of the 2007-08 Beginning Teacher Longitudinal Study.” “Mentoring” new teachers appears to be very cost-effective.
- f) In mid-September Senator Lamar Alexander announced he would be stepping down from his third highest leadership position in the Republican Party to become essentially a broker between Democrats and the GOP on a number of issues in order to get results.

The state profile updates include items addressing online learning, the Common Core State Standards, charter schools, Race to the Top, School Improvement Grants, and college remediation.

**October 13, 2011** – A Stimulus Funding Alert entitled “Unexpected 1.5 Percent Rescission in Recently Signed USED Continuing Resolution Will Impact Current District Purchasing Cycles More so for IDEA Special Education than for Title I” was sent to subscribers.

### **October 2011**

*October 28, 2011* – In addition to two Special Reports entitled: “ESEA Reauthorization Bill and Markup by the Senate Committee Would Build on Some of the Administration’s Proposals and the State Waiver Initiative, Along With Some New Programs; GOP Opposition and Amendments Can be Expected Before Final Passage,” and “USED Provides Additional State Waiver Guidance Through Frequently Asked Questions (FAQ) Following Release of Initial ‘ESEA Flexibility’ Document” the Washington Update includes:

- As of the requested October deadline, 39 states had submitted letters indicating intent to accept Secretary Duncan’s waiver offer, while most of the remaining states will likely do so this year or early next year. Earliest deadline for submitting SEA waivers is November 14<sup>th</sup> with most of the Race to the Top winning states and Differentiated Accountability Model states indicating early submission. Big state “holdouts” could include California and Texas, among others.
- Movement on FY 2012 education appropriation progresses, but differences between House and Senate panels are wide. The House would increase both Title I and IDEA by \$1 million each, but eliminate or reduce funding for the Administration’s flagship programs such as Race to the Top and School Improvement Grants. The Senate would level-fund Title I, IDEA, and other Administration “flagships” and restore funding for Administration priorities previously defunded in the FY 2011 Act. Final passage or another continuing resolution depends on action or inaction by the 12-member Congressional Super Committee to reduce debt by \$1.5 trillion over ten years and possible “sequestration.”
- An updated report by the Center on Budget and Policy Priorities indicates that 37 of 46 states will reduce state per-pupil expenditures for K-12 this year compared to last year,



while eight states will increase such expenditures. Several “adjustments” for delayed state funding and final Title I allocations are not taken into account, which could be significant in several states.

- The number of children ages 6-21 receiving IDEA/Special Education services continues to decline for a number of possible reasons; many continue to point to the expanded use of Response-to-Intervention approaches which recent surveys of product sales tend to corroborate.
- A number of miscellaneous items include:
  - a) 35 states and the District of Columbia have submitted applications for Race to the Top Early Challenge grants, including all previous Race to the Top winners except Tennessee.
  - b) After the Senate’s failure to pass the \$447 billion jobs measure proposed by President Obama, the first individual “piece,” the \$30 billion education and local government job saving proposal, also failed by a Senate test vote; however, the Administration continues to press for passage by Congress of other “pieces,” including school facilities repair and renovation.
  - c) The What Works Clearinghouse has launched an improved website which is supposed to be more relevant and usable for principals and teachers; however, in light of other Federal government-subsidized clearinghouses used by educational practitioners and bad experiences of many TechMIS subscribers in attempting to submit research reports to WWC, TechMIS subscribers should remain leery about relying on the What Works Clearinghouse.
  - d) Under the GEAR UP program, USED has awarded 66 new grants totaling \$177 million, mostly to universities with a limited number of LEA applicants, to help at-risk students, beginning in middle school, prepare for college and provide continuing support in post-secondary education. While some opportunities may exist in some of the newly-funded grants, future funding for the TRIO program, including GEAR UP, remains unclear.
  - e) 587 education entities and non-profit organizations have submitted applications for the \$150 million Investing In Innovation (i<sup>3</sup>) grant program. Few, if any, non-profit organizations appear to be directly involved. More than 300 of the applicants have submitted for the second time. Some opportunities may be related to scale-up or validation grantees for purchasing firms’ products.
  - f) An update is provided of the 1.5% rescission for FY 2011 for Title I and IDEA and implications for FY 2012 appropriations debate in the context of the pending action by the 12-member Super Committee on debt reduction/sequestration.

The state profile updates include items on state funding and proposed budgets, Race to the Top, state waivers under NCLB, teacher performance pay, college remediation/readiness initiatives, and general school reform.

## **November 2011**

*November 16, 2011* – In addition to a Special Report entitled “Recent Center on Education Policy (CEP) Study Findings on District Views About SIG Requirements Suggest the of Several Types of Waivers State Education Agencies (SEAs) Will Implement Under the State Waiver Initiative, if SEAs Take Into Account Districts’ Preferences,” the Washington Update includes:

- An update on the likely future of supplemental educational services (SES) which has been addressed in numerous recent articles, some of which predict that, under the State Waiver Initiative, SES funding will decrease dramatically. On the other hand, leading SES advocacy groups are confident that the GOP-led House Committee developing ESEA reauthorization “pieces” will include SES-type requirements and set-aside funding for “tutoring” under the guise of “parent choice.” Future TechMIS Washington Update items will address the initial state-by-state waiver requests relating to SES/choice.
- A recent update on state funding policies for at-risk students suggest which states are likely to increase state compensatory education funding as the states’ economies improve and tax revenues increase.
- The FY 2012 education budget outlook remains a puzzle. A Continuing Resolution through mid-December is likely which, however, could be affected by potential sequestration through across-the-board cuts. These could be changed by Congress later in 2012.

**November 29, 2011** – A Special Report entitled “State Waiver Request Updates” (Colorado, Florida, Kentucky, Minnesota, and Tennessee) was sent to subscribers.

**December 7, 2011** – A Special Report entitled “State Waiver Request Updates” (Georgia, Indiana, Massachusetts, New Jersey, New Mexico, and Oklahoma) was sent to subscribers.

## **December 2011**

*December 14, 2011* – In addition to a Stimulus Funding Alert: “Title I Purchasing Interruption;” and a Special Report: “USED Addendum (November 10) to ESEA Flexibility Waiver Guidance Could Affect the Selection and Amount of Title I Funds Allocated to Priority and Focus Schools at the Expense of Funding Allocated for Non-Public Schools,” the Washington Update includes:

- The first of its kind survey recently conducted by the National Center for Education Statistics (NCES) describes dropout prevention initiatives conducted by public school districts which suggests the types of opportunities which likely exist in different types of districts, particularly beyond those districts which are receiving Race to the Top and/or School Improvement Grants. The largest percentages of districts offer tutoring, remediation classes, and after-school programs, especially in city districts and the foci of these activities are recovery courses or programs and early graduation options. Perceived “academic failure” is a major factor districts take into account in identifying potential dropouts, but not through the use of state assessment results. Only about a third of districts reported tracking dropouts and encouraging them to return to school the next year.
- A new NCES survey of public school districts found 55 percent have students enrolled in distance education courses, with over 60 percent enrolled in credit recovery courses, which did not include non-courses such as tutoring or remediation for at-risk students.

The primary mode of instructional delivery was the Internet with asynchronous (non-real time) instruction. Districts in the Southeast used relatively more computer assisted instruction (CAI) which is not web-enabled, while small rural districts in the Central part of the country rely mainly on two-way interactive video. About half of all districts reported using distance education courses delivered by postsecondary institutions or by independent vendors. Three-fourths of districts intend to expand distance education courses in the next three years.

- A new study identifies effective practices of SEAs in supporting district adoption and implementation of formative assessment strategies which are likely to be expanded under Common Core State Assessment and in Priority and Focus Schools under the Waiver Initiative. Successful efforts in New York and Vermont used external partners, but in different ways, which could be a model to be expanded nationwide.
- New opportunities could exist for subscribers in Head Start agencies which have to recompute for grants and those new grantees as a result of new regulations requiring Head Start grantees to meet seven criteria. Grantees which have to improve quality of individual classrooms should also be targeted.
- USED has created a new Office of Early Learning which will have responsibility for the new \$500 million Race to the Top Early Challenge grants, as well as early childhood components of other reform initiatives, including Promise Neighborhoods. .
- The National Center on Time and Learning has identified effective practices for use in expanded time programs, several of which can be facilitated through the use of technology.
- A recent report by the American Institutes for Research found that during the last five years the total cost in Federal, state, and local taxpayer monies for first-year, full-time community college students who dropped out was almost \$4 billion. The report also identifies model programs which “harness technology” into hybrid online learning configurations.
- The second annual community college student survey conducted by Harris Interactive for the Pearson Foundation points to important trends in the use of online delivery and digital devices, suggesting opportunities for firms in providing college remediation and preparation readiness. A number of important miscellaneous items are also highlighted, including:
  - a) Significant increase in new charter schools and student enrollment.
  - b) Use of smartphones could expand instructional learning time by 40 minutes per week.
  - c) New GED test will also focus on college readiness.
  - d) New data released on gifted and talented education.
  - e) Wisconsin Consortia of states (WIDA) received \$10.5 million grant to create new ELL proficiency assessments related to Common Core.
  - f) New report finds science “proficiency” tests score rating varies widely among states.
- E-Rate update on districts with potential E-Rate refunds for purchasing non-eligible products and services. Many of these opportunities could exist in Philadelphia among charter schools.

The state profile updates address a number of issues including proposed funding and legislation for K-12 education next year, college remediation initiatives, and other items of interest to many TechMIS subscribers.

**December 20, 2011** – A Special Report entitled “2012 Budget Alert: Most Programs Level-Funded in Final FY 2012 Education Budget” was sent to subscribers.

## **2012 TechMIS Washington Update Topics**

### **January 2012**

*January 30, 2012* – In addition to a Special Funding Alert: “States with Carryover Funding for Title I;” a Special Report: “The Final FY 2012 Education Budget Includes Slight Increases for Both Title I and IDEA, Level-Funding for School Improvement Grants, With a Significant Increase in Promise Neighborhoods but a Reduction in Race to the Top Grants;” a Waiver Update: “Second Addendum to SEA Waiver Guidance Released;” and a Special Report: “ESEA Reauthorization Update: House Accountability and Teacher Quality ESEA Draft Proposals not Likely to Pass This Year, but Do Indicate Possible Opportunities for TechMIS Subscribers When ESEA is Finally Reauthorized,” the Washington Update includes:

- The latest USED survey on the use of Title IIA Teacher Quality funds reports increasing use of such funds for professional development and lower funding for class size reduction. The types of professional development conducted are also addressed. Title IIA funds are often used in Title I programs, which should also show a significant increase in the use of Title I funds for professional development using funds carried over from last year to this year.
- A new report from the Rural School and Community Trust shows significant growth in student enrollment of students in certain states, particularly those students from low-income and minority families which could pressure Congress to change the Title I formula to allocate more Title I and Federal funds to rural districts, which in turn could create expanded market opportunities.
- The Center on Education Policy estimates that almost half of schools did not make AYP in 2011, which is much lower than Secretary Duncan’s earlier estimates of 80%. Until states requesting waivers receive approvals, schools and districts “identified for improvement” are under existing set-aside sanctions; however, districts “identified for improvement” have greater flexibility in using Title I funds, for example, to provide professional development for all district teachers, not just those in Title I schools.
- The Education Commission of the States (ECS) has released a report on state activities underway to address training funding and other support areas for students with autism.
- A number of important miscellaneous items are also highlighted, including:
  - a) Head Start programs which have to recompute for continued funding offer good prospects for some TechMIS subscribers.
  - b) A new study which supports the use of virtual algebra courses could represent a growth area in rural isolated districts.
  - c) A new round of grantees for implementation and planning grants has been announced by USED.
  - d) A summary of trends in philanthropic funding/support for education could represent potential funding sources for district purchases of products and services.
  - e) Education research “guru” and founder of *Success for All*, Dr. Robert Slavin calls for an ounce of prevention using certain types of instruction to save billions by reducing the need for remedial and special education.

The state profile updates address issues relating to Race to the Top, new state grantees, State of the State addresses, state waiver requests, education funding, school reform, and online education.

**February 6, 2012** – A Special Funding Alert entitled “Preliminary Title I State Allocations for 2012-13 and Likely Districts Receiving Ten Percent or More Increases” was sent to subscribers.

## **February 2012**

*February 29, 2012* – In addition to three Special Reports entitled: “The Administration’s Proposed FY 2013 Education Budget Would Level-Fund Title I and Other Large Formula Programs, with a Limited Number of Competitive Grant Programs -- such as Race to the Top -- Receiving Funding Increases; However, Opportunities in Level-Funded Formula Programs Could be Created by Proposed Language Changes Which Could be “Telegraphed” Unofficially to States and then Approved Under the Ongoing SEA Waiver Initiative and Other Regulatory Relief Measures Encouraged by the Administration,” “USED Letters to Some States Called for Higher Levels of Accountability in Waiver Request Negotiation, Particularly for Special Education and English Language Learner Groups, While Asking for Specific Examples of the Types of Interventions Subsequent “Guidance” for Next Rounds Applicants Includes a Wider Range of “Considerations” for States to Take into Account,” and “State Waiver Request Updates,” the Washington Update includes:

- Results of a recent survey of SEA officials by the Center on Education Policy indicate K-12 budget cuts have appeared to have “bottomed out” in most states even though over 80 percent of districts continue to anticipate funding cuts this school year; progress on implementing major Federal reform initiatives varies among initiatives within states.
- The Council of the Great City Schools has released a report on the first year of School Improvement Grant implementation which indicates different patterns compared to SIG implementation nationwide. Also, previous use of Part a School Improvement Grants under the SEA 4% set-aside prior to 2010 suggests the types of activities (e.g., one-on-one in-school tutoring) which would be implemented by states/districts if greater flexibility were provided, as under waivers and ESEA reauthorization proposals.
- USED releases preliminary state FY 2012 allocations for Title IIA Improving Teacher Quality State grants, which total about \$2.5 billion.
- A number of miscellaneous items are also include:
  - a) During the second White House Science Fair on February 7<sup>th</sup>, President Obama announced a number of STEM initiatives which were included in the proposed FY 2013 budget.
  - b) A new Issue Brief from the National Governors Association describes strategies used in 36 states that provide school districts and schools with increased flexibility to implement “competency-based” mastery vs. seat time credits to students, some of which could provide opportunities for firms with appropriate products and services.
  - c) A new report from the Brookings Institution may provide political ammunition for opponents of the Common Core Standards.

State profile updates address a wide range of issues including news accounts of waiver requests, state education funding, teacher/principal evaluations, social promotions, state assessments, and governors’ state-of-the-state addresses.



## **March 2012**

*March 29, 2012* – In addition to three Special Reports entitled: “State Briefs on Waiver Requests During the Second Round Approval Process,” “During Council of the Great City Schools Annual Legislative Conference, Secretary Duncan and USED Officials Were Pleasantly Surprised as Reports of the School Improvement Grant Program Pointed to Early Success, While Urban District Officials Expressed Major Concerns About “Freed-Up” SES Funds Under Approved Waivers Being Reduced by Some State Laws and Recently-Passed Legislation,” and “During SIIA Ed Tech Policy Forum, Policy Officials/Policy Influencers Generally Agree that ESEA Reauthorization is not Likely this Year and the Waiver Initiative Will Continue; However, Major Disagreements Surround Participation and Implementation of Common Core Standards,” the Washington Update includes:

- An update on several SEA waiver developments including:
  - Washington State’s waiver request to use carried-over 10% professional development set-asides for other than professional development, such as purchases of products and other services, which was discussed with Secretary Duncan during the Council of the Great City Schools conference and subsequently with seven Chief State School Officers.
  - Possibility of districts being able to apply directly for waivers.
  - USED monitoring/auditing of approved SEA waivers.
- A recent joint report by the liberal Center for American Progress and the conservative American Enterprise Institute recommending changes to Title I’s supplement-not-supplant (SNS) requirement in order to reduce costs and promote innovation, which will likely be seriously considered in the ESEA reauthorization process.
- E-Rate Update on Districts With “Potential” E-Rate Refunds for Purchasing Non-eligible Products and Services

## **April 2012**

*April 27, 2012* – In addition to a Special Report entitled: “USED Retracts Policy Letter Which Would Have Loosened Local Maintenance of Effort Requirements Which Could Reduce General Ed Purchases; This Could Possibly Increase Expenditures by Special Education Programs in Certain Types of Districts,” the Washington Update items include:

- A new report from the Government Accountability Office (GAO) recommends that USED take steps to monitor performance of SIG-funded contractors, particularly those in turnaround and transformation schools, on an ongoing basis. USED said it would provide subsequent guidance, but argued that “monitoring” depends on the type and extent of services, the need for “considerable flexibility,” and reliance on existing state and local procurement and contract monitoring methods. GAO also reported that 48 of 51 states reported that “fidelity of implementation” of the prescribed SIG models was the most important factor in determining whether to continue funding SIG schools after the first and second years. Implementing extended learning time requirements in SIG districts/schools posed a short-term as well as a long-term sustainability problem when SIG funding ceases.
- While Secretary Duncan recently pointed to promising early results in some SIG schools. Findings from other studies question the overall preliminary results but do identify perceived best “turnaround” practices along with suggestions for improvement, one of

which was the use of SIG funding to develop district-wide capacity through district-wide reform measures, which USED guidance has heretofore not encouraged/allowed.

- Increased flexibility for using 21<sup>st</sup> Century Community Learning Center funds under waiver Option 11 for extended learning is addressed in a new Waiver Guidance Addendum which will allow states that receive waiver approval for Option 11 to include new flexibilities in the next 21<sup>st</sup> CCLC grant competition. Many states and districts have already issued “calls for proposals” from vendors to initiate or expand afterschool and extended learning time activities using some of the Title I funds “carried over” from last year to this year (which we anticipated in several TechMIS reports over the last year) and some “freed-up” SES set-aside funds.
- The most recent AASA survey of member districts (most of which have enrollments of fewer than 5,000 students) projects continued budget cuts and reduced/deferred purchases of instructional materials and technology next year due largely to increasing concerns about Federal funding “sequestration” which, in January, could reduce Title I and IDEA funding by more than \$1 billion each. Such uncertainty regarding sequestration could impact Title I purchases between October and December of this year unless the sequestration cuts are resolved before or in a lame duck session after the November elections.
- The Administration’s proposed Blueprint for reauthorizing the Perkins Career and Technical Education (CTE) Act would delegate important responsibilities to states and encourage K-12, postsecondary, and industry/employer consortia to apply for new competitive grants; it would also provide incentives for for-profit organizations to improve CTE efficiencies and empower “success” through the use of technology under “innovation” grants (e.g., distance learning technology to provide access for rural students, and technology-enabled learning solutions usable by students with disabilities and English language learners). About ten percent of the proposed \$2.2 billion Perkins Act funding could be used for these Pay-For-Success projects.
- A number of miscellaneous items address:
  - a) Five states could receive \$133 million in the next Race to the Top Early Learning Challenge competition, while state funding for preschool programs has for the second straight year been reduced by \$145 per child served in preK.
  - b) The National Governors Association (NGA) reported that at least 14 governors are proposing to increase or maintain K-12 funding next year. While most of the increases will occur in state K-12 funding formula aid, in certain states, categorical programs could receive increases for special education and compensatory education.
  - c) The PARCC Common Core Assessment contractor has decided not to develop model curriculum/instructional units, but to devote the remaining \$30+ million Federal add-on grant to develop professional development modules aimed at supporting educators as they create or adapt materials in their curriculum units. This could lessen the probability that Congressional leadership which opposes Common Core Standards will take legal action to halt or impede implementation.
  - d) According to Education Week, Secretary Duncan recently outlined his rural education agenda which addressed teacher capacity, technology, and college access in response to criticisms from rural education advocacy groups. Senate bipartisan leadership is also pressuring Secretary Duncan to “level the playing

field” for rural LEAs in the upcoming district-level competition for \$417 million in Race to the Top grants.

- e) A new website on expanded learning and afterschool programs includes a compendium of research findings on effective practices, many of which have been found to be effective in regular school programs.
- f) On April 19<sup>th</sup>, USED released revised Non-Regulatory Guidance on allowable uses of Title I funds for serving preschool programs, which range from identifying at-risk preschool children to allowing a Title I school to allocate all of its Title I funds to preschool activities.
- g) The Department of HHS announces the of Head Start competition for current grantees required to re compete for continued funding, which could provide opportunities for firms to help applicants improve programs or new applicants to replace current grantees.

State profile updates include items on budgets/funding, school reform, online learning, waivers, mastery-vs.-seat-time, Race to the Top, grade retention, School Improvement Grants, and Common Core Standards.

**May 2, 2012** – A Special Report entitled “Very Preliminary Title I Allocations to Districts Receiving Significant Increases Beginning in July” was sent to subscribers.

### **May 2012**

*May 31, 2012* – In addition to a Special Report entitled: “Creative Consultative Selling is Critical With Federal Program Niches -- A Reminder and Updates,” the Washington Update items include:

- A new Center on Education Policy report summarized state waiver requests to use alternative measures to identify schools for interventions under waiver process corroborating the earlier TechMIS Special Report analysis of freed-up SES or set-aside funding. We agree with CEP’s major finding, corroborated by a GAO report finding, that most states will begin to focus not only on individual school turnaround efforts, but also districtwide reforms.
- A recent survey conducted for the National Center on Universal Design for Learning has found that approximately one-third of ARRA IDEA funds were spent on purchases of technology, equipment, and instructional materials used to expand RTI, PBIS, or UDL principles among four-fifths of districts which used IDEA ARRA funds for the above purposes. Firms should consider positioning their products as a way to implement Universal Design Learning Principles that can be incorporated into RTI and PBIS approaches.
- Secretary Duncan publicly questioned Florida’s passage of HB 7127 continuing the SES set-aside for 15 percent in all districts even though the Florida waiver request eliminated the 20% SES set-aside mandate. If the precedent of a state law “trumping” Federal waivers holds in Florida, the amount of freed-up SES set-aside funds remains unclear under the waiver process, possibly affecting the type and amount of funding for other interventions in Priority and Focus Schools.
- While some policy analysts have suggested no major changes to the School Improvement

Grant program are imminent, others feel some changes are critical especially related to the waiver process. If not, more states will likely drop participation in both waivers and School Improvement Grants, as Vermont has signaled that it will do.

- USED negotiating points with states over initial waiver applications could have direct implications for firms with interventions and related products and services in states receiving final waiver approval. As noted earlier, eight additional states were approved on May 28, totaling 19 states approved thus far; seventeen states and District of Columbia are currently under review. California is likely to apply shortly with Texas and Pennsylvania possible candidates for the third-round in September.
- The first comprehensive national evaluation of Title III (English language acquisition) reports that almost one-quarter of the \$750 million allocated to Title III in 2009-10 was spent on instructional materials, equipment, and technology. However, given that most ELL students are “dually served” under Title I and/or IDEA special education programs, the national average of \$151 per ELL served in Title III districts is much less than the amount spent per pupil on dually-served students which could range between \$2,000 and \$5,000 per student.
- A number of miscellaneous items address:
  - a) Applications for non-profit and other entities for \$60 million in Promise Neighborhood grants are now available and are due on July 27. Seven new implementation grants totaling \$27 million and 14 planning grants totaling \$7 million will be awarded with the remaining funds provided for continuation grants.
  - b) USED provides examples of allowable family engagement and involvement activities in the Title I pre-K guidance, most of which are examples in which technology would appear to be critical for implementation (e.g., creating social networks).
  - c) GOP led House Appropriations Subcommittee appears to have placed a higher funding priority for STEM-related programs by proposing an almost \$300 million funding increase for the National Science Foundation and new emphasis on STEM literacy.
  - d) A recent *Curriculum Matters* blog identifies important changes in the new “publisher’s criteria revision” which is designed to guide the development of curriculum and instructional materials, including more emphasis on the role teacher judgment plays in choosing materials.

This TechMIS issue also includes State profile updates addressing state budgets, waiver applications, online education, charter schools, college remediation, assessment, and other topics.

## **June 2012**

*June 30, 2012* – In addition to two Special Reports entitled: “Comments Submitted on Draft Rules for Race to the Top -- District (RT<sup>3</sup>-D) Competition Suggest Bumpy Road Ahead” and “Senate Appropriations Committee Votes FY 2013 Budget for Education Following Democratic Leaders’ Patterns Over the Last Two Years; ‘Fifth Model’ Would Be Allowed Under SIG”; and a State Waiver Update entitled “School Improvement Grants: State Website Update,” the Washington Update includes:

- More than \$1 billion of unspent ARRA EduJobs funds have to be spent by September 30, 2012, which could provide end-of-year opportunities for firms that provide professional development or other products, using “freed-up” funds created by EduJobs expenditures.
- While Senate amendment to Farm bill would require the Administration to identify effects of sequestration on education programs, House Republican leaders are likely to attempt to reallocate current unspent ARRA stimulus funding and other funding to reduce Pell grant or other shortfalls.
- Senate Appropriations panel proposes FY 2013 budget with increased funds for IDEA Special Education Research and codifies recent Maintenance of Effort (MOE) policy changes, but district “uncertainty” remains over potential sequestration in January 2013.
- More than \$130 million available for Phase 2 of the Race to the Top -- Early Learning Challenge program for five finalist states in Round 1 competition and could provide opportunities for firms certain types of products/services.
- Under new ESEA flexibility guidance for state waivers, public charter school authorizers appear to have greater flexibility than traditional public schools, with authorizers’ decisions superseding state laws, thus giving charter authorizers/CMOs a de facto competitive advantage in the district-level Race to the Top competition.
- USED has announced that it anticipates releasing new guidance to charter schools on what their responsibilities are to serve students with disabilities in response to a recent report from the Government Accountability Office.
- According to the National Alliance for Public Charter Schools, over the last two years, state legislative action on charter schools has grown and monitoring has been tightened.
- A number of miscellaneous items address:
  - a) Western Governors University and McGraw-Hill have initiated a “performance contract” approach to licensing products which could provide for-profit publishers a means of competing with the open education resources (OER) movement.
  - b) Secretary Duncan recently volunteered that USED is “open for business” if Vermont chooses to reapply for a waiver which was previously not approved; referring to Vermont’s request for using “a fifth model,” Duncan said, “There are lots of models out there that have been approved.”
  - c) A recent Center on Education and Workforce study reports that post-secondary certificates have increased from six percent of postsecondary awards in 1980 to 22 percent today, much faster growth than diplomas or other credentials.
  - d) The new GED test is designed to measure college readiness which could replace ACCUPLACER and other placement tests used by many community colleges.
  - e) The American Federation of Teachers has teamed with TSL Education to create Share My Lesson, an online portal for teachers to access free lessons; opportunities for for-profit participation exist but are limited.
  - f) A new firm, Education Funding Partners facilitates district/firm advertising partnerships to generate revenues for districts.
  - g) The “Common Career Technical Core” set of uniform standards for 16 career clusters and corresponding career pathways is designed to facilitate state implementation of Common Core Standards.
  - h) According to Education Week’s Curriculum Matters blog, the Council of the Great City Schools is heading a consortium of 20 school districts, representing \$2 billion of “purchasing power,” to encourage publishers to meet the priorities



outlined in Common Core “publisher’s criteria” when selecting Common Core aligned materials.

This TechMIS issue also contains State profile updates addressing a range of issues, including state budgets/funding, NCLB waivers, charter schools, vouchers, and third-grade retention.

**July 18, 2012** – A State Waiver Update entitled “New Approved State Waivers, ‘Freezes’ and Freed-Up Professional Development Set-Aside” was sent to subscribers.

**July 24, 2012** – A Sequestration Update entitled “USED Tells Chief State School Officers that Sequestration, If It Occurs, Will Not Impact FY 2012 Appropriations (SY 2012-13) Spending at the District Level” was sent to subscribers.

### **July 2012**

*July 31, 2012* – In addition to two reports entitled: “Special Report: State Briefs on Waiver Requests Approved During the Second Round” and “Sequestration Brief: Congressional Hearings on Impact and Speculations,” the Washington Update includes:

- The House Appropriations Subcommittee passed its proposed FY 2013 education budget which would zero-fund the Administration’s flagship programs, including Race to the Top, i<sup>3</sup>, and School Improvement Grants, and cut \$1.1 billion from USED’s \$68 billion FY 2012 budget. The proposed Senate version, included in the last TechMIS issue, has resulted in an \$8 billion difference between the House and Senate proposals. A continuing resolution at current levels through March, 2013 is likely, according to Politico (July 31).
- The most recent AASA survey (May-June) of more than 1,000 member districts identifies the most likely areas of budget cuts next year, with more than half of the districts having already taken into account the seven to nine percent sequestration reduction of Federal funds in January 2013. Eighty percent of districts faulted USED for providing “no” or “poor” information about the sequestration impact; guidance was finally provided in a July 20<sup>th</sup> letter, as noted in our July 24<sup>th</sup> TechMIS Special Report. The real question is how and when will respondents to the AASA survey revise their FY 2013 budgets, if at all.
- The Council of the Great City Schools could have a major impact on Common Core implementation, especially in urban districts, based on its research findings, guidance to member districts, and recently announced procurement policy agreement of 30 urban LEAs to purchase only products aligned with their Common Core standards.
- The Center on Education Policy’s three most recent studies on implementation of School Improvement Grants reflects SEA/LEA practitioners’ perceptions of challenges in implementing teacher-principal replacement, school climate and extended learning time reform initiatives and suggests policy recommendations which Congressional leaders and the Administration will take into account, especially surprise findings related to improving school climate.
- A recent national survey finds more students in urban districts are participating in STEM-related afterschool programs than students in other community settings, which suggests Title I carryover and 21<sup>st</sup> Century Community Learning Center funds are being used to support these efforts; this trend should continue to increase dramatically in states



receiving approved waivers, as predicted in previous TechMIS reports.

- The Publishers' Criteria for K-8 Common Core Mathematics Standards/Curriculum, which is now available, is designed to help publishers develop instructional materials as well as districts to select materials aligned to Common Core Standards.
- Updated Education Sector survey of teachers finds more teachers wanting unions to support and protect them and to engage in reform, while NEA reports it has lost more than 100,000 members and revenues of \$65 million since 2010. Former NEA President says NEA must "reinvent its mission and vision."
- A number of miscellaneous items address:
  - a) The new 13-state STEM network, referred to as STEMx, sponsored by Battelle Memorial Institute, could provide opportunities for firms with directly-related products.
  - b) Even though the Administration has been vocal in supporting new STEM initiatives, most funding for STEM activities continues to be set-asides/priorities within larger USED and other agencies' large competitive grant programs (e.g. Race to the Top, i<sup>3</sup>, and TIF).
  - c) The What Works Clearinghouse approves as "rated highly" a study that finds simplifying language in math tests helpful to English language learners in demonstrating their understanding.
  - d) The Johns Hopkins School of Education Center for Research and Reform in Education "Best Evidence in Brief" has found that inquiry-oriented science programs which incorporate science kits are not as effective as some technology-based K-12 and other science programs.
  - e) The renewed National Transportation Act includes a one-year extension of Secure Rural Schools Act, which is a potential funding source for education technology, and distance learning, especially in Northwest districts/counties with national forests.
  - f) Under USED's Innovative Approaches to Literacy Program, almost \$30 million will be provided in grants to districts and eligible non-profits.
  - g) E-Rate update on districts with "potential" E-Rate refunds for purchasing non-eligible products and services

The State profile updates include summaries of news items regarding individual state waiver approvals (which are not included in the enclosed State Waiver Brief) and final state K-12 education appropriations for this coming school year, as well as items relating to school accountability, student assessments, charter schools, extended/afterschool programs, and teacher evaluation.

**August 9, 2012** – A State Waiver Update entitled "New August 3<sup>rd</sup> USED "ESEA Flexibility" Waiver Guidance Would Allow Districts in Approved States Flexibility to Spend Title I Funds for Professional Development for Any Staff/Teacher in Low-Performing Districts to Improve the Performance of Any and All Students in the Entire LEA" was sent to subscribers.

## **August 2012**

*August 30, 2012* – In addition to a Special Report entitled: “Newest USED State Waiver Guidance Allows Districts in Approved States Additional Flexibility in the Use of Title I Funds Without Violating Supplement Not Supplant (SNS) Requirements, Thereby Providing Expanded Opportunities for Many TechMIS Subscribers, Although Several Questions Still Need Clarification,” the Washington Update includes:

- An updated report from the Education Commission of the States (ECS) that summarizes third-grade reading policies related to identification, intervention, and retention initiatives; 13 states have passed new laws over the last year. The types of interventions required/allowed are identified on a state-by-state basis.
- A new meta-analysis of the effectiveness of alternative models of extended learning has found that after-school programs appear to have positive education outcomes if they are well-implemented and have quality design features and curriculum. Extended school day and school year opportunities appear to have mixed results.
- USED Assistant Secretary Alexa Posny, a leading USED advocate for RTI, has resigned with Michael Yudin serving as her acting replacement, which raises the question about the impact on the RTI movement; recent discussions with Yudin suggest his continued support for RTI.
- Final Race to the Top-District guidance includes numerous changes from the earlier draft guidance; some of these changes have significant implications related to instructional components and “personalized learning environment” features.
- Our analysis of final district Title I allocations has found no meaningful difference from the preliminary district Title I allocations provided in our May 2<sup>nd</sup> Special Report; TechMIS subscribers should take these listings into account as they develop their sales approaches to these districts, of which most are likely to obligate unspent Title I funds by September 30<sup>th</sup>.

As this TechMIS was being prepared, the USED Expenditures Report for the Education Jobs Fund became available which indicates that, as of August 24<sup>th</sup>, of the \$10 billion Fund, slightly over \$500 million had yet to be “drawn down,” including Virginia (\$50 million), Texas (\$71 million), New York (\$109 million), and Puerto Rico (\$32 million). Unless last minute waivers are allowed to carry over such unobligated funds, after September 30<sup>th</sup>, these funds may have to be returned to the Federal Treasury.

- A number of miscellaneous items include:
  - a) During the annual meeting of the National Conference of State Legislatures, it was reported that state revenues are stable or have increased in all states except Illinois and California and that 44 states are projecting revenue increases next year.
  - b) Whether low-performing charter schools should be shut down is receiving new attention in state legislatures, according to several recent reports.
  - c) Provisions in new state teacher effectiveness laws in 21 states are summarized in a recent report which also addresses how teachers are paid, assigned to schools and classes, and are promoted or dismissed.
  - d) The USED “access initiative” to convert more printed text into digital versions which students with certain disabilities can download and read is being continued with a five-year, \$32 million grant to Bookshare; publishers are still concerned that only eligible students with certain disabilities have access to this copyrighted material.

- e) A Commentary from the Annenberg Institute for School Reform chides USED for ignoring its requirements that failing schools must incorporate “parent and community engagement” under waivers and in their turnaround schools; high-level USED officials continue to place a higher priority on improving “school climate” in competitive grants such as Race to the Top and under approved state waivers.
- f) A recent survey from the American Council on Education (ACE) found that college enrollment of veterans has doubled over the last three years and, while three-fourths of colleges have designated veteran’s offices, faculty training in counseling veterans is inadequate, especially for female veterans.
- g) A USED policy letter to post-secondary institutions said it would no longer “enforce the requirement that distance education programs obtain permission to operate in every state in which they enroll at least one student.” A similar statement regarding distance learning in K-12 has not been issued.
- h) A new report from NAEYC includes recommendations for organizations and consultants that provide technical assistance and training to early care and education workforce entities, including Head Start.
- i) Education Week’s Learning the Language blog identified challenges confronting California to incorporate Common Core Standards that include English language learners which could affect initiatives in other states implementing Common Core Standards for ELLs and assessments.
- j) The designation renewal system for local Head Start entities to recompete is underway, but the names of competing applicants and reviewers evidently will not be made available.

The State profile updates address a number of issues including state K-12 funding, NCLB waivers, expanded learning time, charter schools, state assessments, and Common Core participation.

### **September 2012**

*September 27, 2012* – In addition to a Special Report entitled: “The Office of Management and Budget Estimates Impact of Sequestration on Education Programs Would Be an 8.2 Percent Cut for Most Programs, With Impact on Title I and IDEA not Occurring Until July 2013,” the Washington Update includes:

- Preliminary findings from the Institute of Education Sciences’ Turning Around Low-Performing Schools Project will likely be built into future guidance under the School Improvement Program, ESEA Waiver flexibility, and Race to the Top initiatives; as a follow-up to the 2008 What Works “Practice Guide” for turning around low-performing schools, the most recent preliminary findings suggest the interplay of particular programs and practices with district policy support are important beyond use of data, targeted student interventions, and teacher collaboration implemented independently.
- The Center on Education Policy, in its 11<sup>th</sup> Annual Report on State High School Exit Exams, reports that most states are planning to align their exit exams to college and career readiness standards and to replace current exit exams in English/language arts and math with assessments being developed by the two assessment consortia; all states with

exit exams allow retakes and many states offer alternative paths to graduation. State-by-state reports/updates are also accessible.

- Nine states submitted waiver applications on September 6<sup>th</sup>, including seven which had previously received AMO “freeze” waivers; 33 states and the District of Columbia have been approved thus far; six states have not formally applied, including Texas and California, which are likely to receive “freezes” or conditional waiver approvals based on ongoing negotiations with USED.
- USED has begun monitoring planned activities for each state-approved waiver, which should pressure states to implement interventions in Priority and Focus Schools on schedule; this should increase the demand for appropriate products and services immediately, especially among most Focus Schools.
- The RTI Action Network has published an update on the legal dimensions of RTI “required” or “permitted” activities among states, which should allow states that “require” RTI greater flexibility in the use of Title I funds, if RTI is a component of interventions for Focus or Priority Schools under the waiver process.
- In its most recent update, the Center on Budget and Policy Priorities reports that more than half the states are reducing state K-12 funds this year, compared to last year with only 11 states’ K-12 funding above the 2008 pre-recession level; the fiscal cliff created by dwindling stimulus funding is affecting implementation of reform initiatives in many states.
- The National Parent Teachers Association (PTA) has formulated a new policy supporting non-public school district “entities” authorization of charter schools, as the movement celebrates its 20<sup>th</sup> anniversary with two million students attending charters and 600,000 on waitlists.
- A number of miscellaneous items include:
  - a) The release by the American Library Association of the Complete Copyright for K-12 Librarians and Educators which addresses legal, “fair use” options.
  - b) If the November election results in a Republican takeover of the White House and Senate, some observers, including former Education Secretary Margaret Spellings speculate that the ESEA Flexibility Waiver Initiative could be rescinded which could create major unintended effects in waiver states.
  - c) The STEM advocacy group of corporate CEOs, *Change the Equation*, reports on the current status and trends in STEM-related activities in each state, providing specific information which could be useful in developing state marketing/sales strategies.
  - d) According to Achieve’s *Closing the Expectations Gap*, states are reportedly moving toward fulfilling the college- and career-ready agenda as part of common core standards; Achieve appears to be more optimistic about progress in the assessment and related areas than are findings from the most recent Center on Education Policy survey on exit exams (see related Washington Update item).
  - e) The Council of the Great City Schools, in partnership with Student Achievement Partners has developed a new online tool called the *Baseline Alignment Project* which can help districts transition to new standards; the Council has also launched its first commercial venture in selling a performance management system to non-member school districts.
  - f) USED has released the application for five eligible states to receive portions of

the \$133 million for Phase 2 of the Race to the Top Early Learning Challenge; however, these five unsuccessful Phase 1 applicants must reduce budgets by 50 percent in their Phase 2 application and can modify initially proposed activities but not fund “newly” created activities.

- g) The Common Core initiative will thrust librarians into a key leadership role at the district level according to an Education Week article; this could have implications for firms’ sales staff and instructional program designers/developers.
- h) The Center for American Progress’ recent article “Using No Child Left Behind Waivers to Improve English Language Learner Education” encourages other states to follow the principles underlying the New York State model.
- i) USED issues addendum 1 to Race to the Top-District applications guidance which addresses concerns of district consortium applicants, including charter schools/CMOs and eligibility criteria for schools.
- j) The National Alliance for Public Charter Schools headed by Nina Rees has announced the addition of two new officers which appears to reflect a new bipartisan approach in the charter school movement.
- k) Senator Lamar Alexander and Chairman John Kline, Committee on Education and Workforce, have requested information about the ongoing Head Start Designation Renewal System application and review process -- including whether new applicants currently receive other Head Start funding, evidence of applicants’ past performance/capacity, and the related experience in early childhood field of the several hundred grant reviewers --to meet the lack of transparency criticism.

The State profile updates address a range of topics including NCLB waivers, charter school initiatives, state budgets, English language learners, and early childhood education.

## **October 2012**

*October 31, 2012* – The Washington Update includes:

- During the final presidential debate, President Obama stated that “sequestration is not going to happen,” if he is re-elected; some alternatives could be agreed upon during the lame duck session which could affect Title I and IDEA purchasing cycles for the remainder of this year.
- On the surface, candidate Romney, if elected president, would support some current Obama policies and would expand others, such as choice, but would likely revoke or repeal some of the state waiver provisions which could have serious short- and long-term implications.
- As an example, a Romney administration could create through the waiver process the opportunity for a GOP Congress and State legislatures to significantly reduce Title I funding over time and, at the least, could create a chaotic situation.
- The International Reading Association has developed guidance to help teachers implement Common Core literacy best practices, which is likely to be followed by most Title I programs in CCSS adoption states.
- The State Education Technology Directors Association (SETDA) has launched a database with state policies and practices relating to a shift from textbooks to digital, which it recently advocated.

- A USED Inspector General report confirms Title I and IDEA stimulus funds were used by more districts to purchase instructional materials, technology, and professional development than were other stimulus funds, which suggests specific opportunities if another Title I and IDEA stimulus initiative is undertaken.
- Common Core Standards are increasingly being adopted by Catholic and some other private schools because of pressures from parents and other quarters. The new USED-funded Center on Online Learning and Students with Disabilities has expressed concerns regarding student access to current online learning initiatives, which could have important implications for publishers and online providers.
- A recent survey by the Atlanta Journal-Constitution predicts that more cheating scandals are inevitable as states cannot ensure test integrity under Common Core assessments, particularly as teacher pay is increasingly based on student performance.
- An incentive-based “turnkey” approach appears to offer promise for transferring charter school best practices to low-performing schools.
- The new 35 grantees under the Teacher Incentive Fund will allocate more than \$130 million for STEM-related activities, providing opportunities for firms providing STEM-related products and services.
- Community colleges are exploring alternatives to traditional placement tests and remedial/developmental programs, offering opportunities for publishers and firms with innovative products and services which are effective.
- With only one-third of Race to the Top funding obligated or spent by the 12 Race to the Top states after two years, planned new initiatives could provide opportunities for TechMIS subscribers in some of these states.
- A number of miscellaneous items include:
  - a) A new proposal would create a *Consumer Reports* on the efficacy of education technology products/modules.
  - b) It is predicted that the SAT and ACT and remedial placement tests -- ACCUPLACER and COMPASS -- will compete with assessments developed by the two common core assessment consortia and will “win.”
  - c) Recent USED Census data show a drop from 4.8 million to 4.1 million students enrolled in private schools over the last eight years.
  - d) Microsoft’s new global initiative called YOUTH SPARK is the “biggest step we’ve taken in 37 years of the company,” according to Microsoft officials.
  - e) Project Degree Completion is a new initiative to increase the number of baccalaureate degree holders by 3.8 million by 2025, in response to President’s Obama’s challenge.
  - f) A new analysis of accountability plans of waiver-approved states indicate that eight states are using AMO targets for all students with AMO targets for different groups varying significantly in the remainder of the states.
  - g) A new Teach Plus survey finds attitudes of both new and experienced teachers agree that more time to collaborate with peers is the best way to improve student outcomes, with extended school day rated the lowest.
  - h) USED has awarded \$21 million to recipients to expand counseling programs.

The State profile updates cover a variety of issues including: state education funding, school accountability, prekindergarten issues, charter schools, and school turnaround developments.



**November 14, 2012** – A Federal Funding Update entitled “Sequestration, Fiscal Cliff, and FY 2013 Budget” was sent to subscribers.

**November 27, 2012** – A Special Report entitled “What the Re-election of President Obama and Other Election Results Mean for Major Education Policies/Initiatives” was sent to subscribers.

**December 3, 2012** – Two Special Reports entitled “The EdFlex State Waiver Initiative, Under Which 34 States and the District of Columbia Have Been Approved, Will Very Likely Continue, but Some Significant Changes Are Likely to Occur” and “Early Childhood Education During the Next Four Years” were sent to subscribers.

## **December 2012**

*December 11, 2012* – The Washington Update includes:

- USED has released preliminary “snapshot” data and findings on School Improvement Grants occurring during the first two years of implementation which produced “mixed results”; the findings did not address a number of important issues including which of the four intervention models appear to be most effective during the first year. A subsequent analysis and report expected early next year should address the “key ingredients” among the three proactive SIG intervention models which appear to be associated with positive findings.
- In an interview with Assistant Secretary of Education Deb Delisle, she shared some of her thoughts relating to policy improvements during the second Obama/Duncan term.
- A new AASA analysis has attempted to project the impact of a possible 8.2 percent sequestration, should it occur, on different types of districts’/schools’ operating budgets which suggests the most immediate and serious impacts will fall on districts receiving Impact Aid funding and Education Service Agencies (ESAs) which are classified as “districts.”
- USED is being very tight-lipped about the Race to the Top finalists and directly-related matters such as who the reviewers are and what types of approaches district finalists proposed to implement under “personalized learning.”
- USED has awarded more than \$140 million for i<sup>3</sup> developmental and validation grants to non-profits and districts pending their raising matching funds, including several focusing on STEM.
- A number of miscellaneous items include:
  - a) The 23 states participating in the PARCC Common Core Assessment consortium have agreed on a definition of what constitutes “college readiness.”
  - b) *Ed Money Watch* blogger Anne Hyslop questions whether or not the PARCC definition of college- and career-readiness will make a difference because states have not enacted policies to legitimize the standards/assessments within the higher education community, which will likely support retaining tests with brand names such as College Board, ACT, SAT, ACCUPLACER, and COMPASS.
  - c) Chris Minnich, who has represented the Council of Chief State School Officers before industry groups such as SIIA, has been appointed as the new CCSSO

Executive Director replacing retiring Gene Wilhoit.

- d) A recent National Research Council report has identified 14 key indicators to assess progress in implementation of STEM education, which will serve as a framework for policymakers in conducting, monitoring, and reporting; a decade ago, the NRC panel was very influential in “molding” the Reading First initiative.
- e) A second draft of Common Core Science Standards developed by a voluntary partnership of 26 states will be available for public comment in January with standards being finalized in March after which time states have the option of adopting them.
- f) DHHS plans to postpone the announcement of awards for the 132 Head Start grantees which are up for re-competition until the Spring.
- g) Voters between the ages of 18 and 29 appear to have propelled President Obama to his second term, with 60 percent giving him their support; one can expect the Administration to “pay attention closely” to issues such as Federal Pell grants/loans for college and immigration legislation.

The State Profile Updates address issues emerging from the November elections and others relating to state budgets/funding, charter schools, vouchers, Common Core, early childhood education, Race to the Top-District, and higher education.

## **2013 TechMIS Washington Update Topics**

**January 7, 2013** – A Special Sequestration Alert entitled “Effective Date Postponed” was sent to subscribers.

### **January 2013**

*January 18, 2013* – In addition to two Special Reports entitled: “USED Announces Newest Priorities for Investing in Innovation (i<sup>3</sup>) Grants and Very Likely Other Major Flagship Competitive Grant Programs,” and “Newest National Survey of Professional Development (PD) Trends Conducted by Education Market Research (EMR) Finds Federal Funding Sources Increased Significantly for PD While State Funding Declined During the Last Two Years; the Amount of Professional Development Hours Provided by Outside Consultant Companies Has Increased and an Estimated 43 Percent of the \$3.2 Billion PD Market Size Was Expended on Outside Providers and Materials,” the Washington Update includes:

- Graduation rates will likely become the key measure at the high school level for accountability and differentiated recognition under state waiver flexibility, which will be easier for the public to understand than the AYP measure under NCLB and could provide increased opportunities for certain products and services.
- The Brookings Institute recently published a report and conducted a forum on mandated state testing costs and implications for implementing Common Core assessments, which suggests some opportunities as well as pitfalls.
- As the Administration considers implementation of state waivers a major priority, Congressional committees are increasing their oversight role of waiver implementation and will likely hold hearings in the immediate future in which the legality and prescriptive nature of the Duncan waiver initiative will be addressed.
- The Gates Foundation is funding seven new districts, adding to the nine previously funded, to foster collaboration and reduce tension between districts and charter schools hopefully to transfer more promising practices from charter schools to public schools.
- A state pilot involving 11 districts, 40 schools, and 20,000 students will be extending learning time by about 300 hours beginning in 2013, which Secretary Duncan has called a “kernel” of a national movement that is in its infancy.
- If sequestration should occur, early childhood education, including Head Start and Child Care and Development Block grants, could be impacted immediately with “advanced” funded programs such as Title I and IDEA not to be impacted until July.
- The number of Title I schoolwide programs increased to 65 percent of all Title I schools in 2010 and continues to represent the best opportunities for most firms.
- Head Start recompetition is delayed until the spring and “family engagement” framework is published.
- The governing board for the PARCC consortium has approved draft policies for comment which could narrow eligibility of students with disabilities to receive assessment accommodations in its 23-member states; it could also increase the demand for RTI approaches.
- The first waiver guide produced by American Institute for Research (AIR) focuses on English language learners and highlights promising practices which should be used in waiver states.

- A number of miscellaneous items include:
  - a) Likely trends in the charter school movement could have implications for many TechMIS subscribers over the next year.
  - b) A conservative Indiana Republican, Todd Rokita (R-IN), is to head House K-12 policy subcommittee which wielded significant power when headed by former chairman Mike Castle (R-DE).
  - c) The American Association of State Colleges and Universities anticipates a higher priority being placed on improving college graduation rates rather than admissions.
  - d) As we previously reported, districts/schools receiving Impact Aid funding will probably feel the earliest effects of sequestration, should it occur in March.
  - e) The 16 Race to the Top-District competition winners, available on the USED website (ed.gov), are developing scopes of work -- which have to be approved by early March -- outlining detailed planned activities and budgets; TechMIS subscribers with personal contacts with the winning entities should communicate with them immediately rather than wait until scopes of work are approved.
  - f) Congressional Research Service's Wayne Riddle discusses the evolution of the Secretary's waiver authority since 1994 and argues that future Secretaries of Education could use the waiver authority to implement different policies.
  - g) USED Inspector General released an audit report on its monitoring of charter schools as being inadequate and lacked procedures to track Federal funds.
  - h) A new report from the National Student Clearinghouse Research Center finds that actual college graduation rates as self-reported by students are higher than those reported by colleges.
  - i) The Gates Foundation has awarded more than \$5 million in Next Generation Learning Challenge grants to recipients to improve college readiness and completion through the use of blended learning.
  - j) A Harris Interactive survey of high school dropouts identifies major causes and identifies promising practices for credit recovery.
  - k) A draft framework to guide states as they modify their standards in social studies has been released, which does not prescribe social studies content and actual standards.
  - l) The latest round of 17 grantees for the 2012 Promise Neighborhood funding could provide opportunities for firms with social, health, behavioral interventions and support activities for parent and community engagement and increasing school safety under the President's proposed new "gun control" initiative, if funded.
  - m) The National Student Clearinghouse has partnered with the Department of Veterans Affairs to develop a new reporting system and database which would be useful to firms targeting veterans postsecondary niche market funded by the new GI Bill.
  - n) The conservative American Legislative Exchange Council (ALEC) has decided to drop its opposition to Common Core Standards, but not necessarily support such standards, which could create a political climate more conducive to state legislative support for implementation.
  - o) A new report from the National Center for Education Statistics has found that the percentage of students who reported taking college remedial courses increased

slightly from 2003 to 2008.

Also included are State profile updates which address a range of issues including: Common Core adoption, school funding, teacher evaluations, educational technology, and preschool programs.

### **February 2013**

*February 13, 2013* – In addition to two reports entitled: “Special Report: The Annual Title I Conference, Held in Nashville at the End of January with an Estimated 3,500 Title I Directors and Staff Attending, Was Felt by Exhibitors as Having Fewer Participants than in the Past, But Higher Quality Influencers and Decision-Makers; Funding Uncertainty Concerns Were Expressed By All;” and “Special Funding Alert: Sequestration FY 2013 Budget Update: Facts, Possibilities/Probabilities, and Implications for Districts and Firms,” the Washington Update includes:

- The Senate held its first hearings on state waiver flexibility approved for 35 states which Secretary Duncan argued “is working”; however, key Senators, advocacy group officials, and others expressed concerns, which suggests some alternative “directions” might be included in reauthorization of ESEA.
- A second annual survey finds most states have completed plans for implementing Common Core Standards in the areas of professional development, developing instructional materials, and devising aligned teacher evaluation systems, which suggest what opportunities are emerging in certain states.
- A survey conducted by the Council of the Great City Schools finds over 80 percent of urban districts plan full implementation of Common Core Standards by 2014-15. While the majority are revising their curriculum this year, about four in ten districts plan to integrate “publishers criteria” into textbook and related purchasing opportunities for many TechMIS subscribers.
- Most of President Obama’s gun control proposals which would benefit some TechMIS subscribers would require legislative action or new funding which most observers feel is doubtful.
- USED is seeking to incorporate evidence-based research and rigor into all of its competitive grant programs by making changes in the Education Department General Administrative Regulations (EDGAR); it could simplify the grantees’ competitive bidding process, and could benefit firms with products that have strong effectiveness evidence which justifies their use by grantees.
- Findings from a new Stanford University study could have direct implications for firms hoping to use charter schools as test beds for products which could then be transferred/adopted by traditional districts’ Title I programs.
- A new report on trends and funding by philanthropic education grant entities suggests certain funding possibilities for districts to purchase certain products and services, especially in newly funded federal competitive grant programs such as i<sup>3</sup>, which require “matching.”
- Secretary Duncan’s waiver authority and second-term agenda was criticized by National School Boards Association members as infringing too much upon local policymaking.
- 122 additional Head Start grantees required to re-compete for funds.
- A number of miscellaneous items include:

- a) Growth and recent trends in charter schools
- b) The Partnership for Assessment of Readiness for College and Careers (PARCC) state assessment consortia has proposed accommodation policies for students with disabilities which could increase the demand for RTI-related products/services.
- c) E-Rate update on districts with “potential” E-Rate refunds for purchasing non-eligible products and services

Also included are State profile updates which address a range of issues including: Governors’ State of the State addresses, Race to the Top implementation, state budgets, and college remediation.

### **March 11, 2013**

*March 11, 2013* – In addition to a Special Report entitled: “Sequestration Update: Likely Impact and Implementation Scenarios,” the Washington Update includes:

- Highlights of Secretary Duncan’s testimony before the Senate Appropriations Committee on the impact of sequestration, which was criticized by some Republican leaders and others as a “scare tactic” to pressure GOP members in both the House and Senate to reach a compromise which diffuses the impact of sequestration. The Obama strategy has apparently changed to focus on House and Senate members who could be swayed to support his “common sense”/“grand design” compromise.
- After the Secretary’s testimony, lead GOP Senators requested detailed information on the rationale and the impact of full sequestration on education programs; especially how cuts will be applied and the justification for placing a higher budget priority on competitive grant programs such as Race to the Top which are “unproven,” ignoring formula-funded programs such as Title I and IDEA.
- In his State of the Union address, President Obama proposed a “new” Race to the Top initiative which states and districts would develop a “smarter” high school curriculum to meet the demands of a high tech economy. This is likely to raise the politically sensitive issue of a Federally-developed national curriculum among conservatives who oppose Race to the Top and other Obama flagship projects. Even though details are not available, the components which were mentioned by the President have already been incorporated, to some extent, into other programs such as Teacher Incentive Fund and School Improvement Grants which the Administration will likely continue even if no new funding is provided for the proposed “new” initiative.
- Details are dribbling out on the President’s other proposed State of the Union initiative for universal pre-K and early education through a new Federal/state partnership which builds on recent initiatives such as Early Learning Challenge grants, and Head Start grantee recompetitions, among others. Some states have voiced concerns about mandates and “strings” being attached to Federally-funded components.
- A survey of Washington insiders by White Board Advisors found that the universal preschool/early education proposal is felt to have a very low probability of being implemented, while the Race to the Top high school “smarter curriculum” redesign initiative has some chance.
- Shortly before his Senate testimony, Secretary Duncan highlighted many of the positive aspects of the ongoing Ed Flexibility State Waiver initiative during which Senator Lamar



Alexander, ranking Republican on the HELP Committee, asked whether he would support California districts' requests for waiver flexibilities to get out from under many NCLB mandates; Senator Alexander questioned the legal bounds of the Secretary's legal waiver authority. If the Secretary's encouragement to the California districts to submit waiver requests is an indication that he might approve such requests, which appear to be likely, it could further dampen his relationship with Senator Alexander -- a key player in a reauthorization of ESEA -- who recently called for a "redoubling" of the reauthorization effort in the Senate.

### **March 21, 2013**

*March 21, 2013* – In addition to a Special Report entitled: "Sequestration Update: Duncan to Fight Cuts, But a Possible Blanket Title I Carryover Waiver USED Fallback Position Could Hurt Traditional End-of-Year Sales, Which Appears Likely After Further Policy Developments Occur, Including the Passage of the Continuing Resolution (CR)," the Washington Update includes:

- A new report by the Center on Education Policy identifies why states applied for waivers and states' perception about what conditions will make the transition to ESEA reauthorization more smooth or difficult. Discussions with chiefs and seasoned education policy observers indicate that the transition will be challenging. A second round of state waiver guidance will be available shortly to reduce problems created by sequestration (e.g., in school improvement programs).
- Washington insiders expect that more states are likely to drop out of Common Core Assessment consortia this year, following Utah and Alabama (tentative), a development about which Secretary Duncan said he "would not lose any sleep."
- A survey conducted in October 2012 finds teachers feel "moderately well prepared" to teach most students Common Core standards, but less ready to teach them to English language learners and students with disabilities.
- The National Center for Education Statistics has released a follow-on report recommending best practices to ensure testing integrity with planned use of computer-based testing in 2014-15 as part of Common Core assessments. Recently, a key member of the team of experts and practitioners emphasized that adoption/implementation will depend on each state.
- Three different recent surveys present findings regarding the potential use of digital devices in public schools, but the perception of the opportunities, as well as challenges, vary among different types of education staff ranging from technology advocates (e.g., ITO's) to math and science teachers.
- Key U.S. Senators have introduced legislation to reauthorize the 21<sup>st</sup> Century Community Learning Centers (CCLC) program with a \$1.2 billion authorization level. In the meantime, USED is planning to provide new guidance in a Frequently Asked Questions (FAQ) document on the existing program, most likely encouraging districts to use such funds to extend learning time and related matters.
- The National Governors Association Panel on Teachers and School Leadership was recently urged to use online, technology-delivered services to increase the quality of teaching and school leadership.
- New regulations will require school districts to get written consent from parents only one time in order to receive Medicaid funds to serve eligible students with disabilities for

“related services,” which will free up local and IDEA to purchase “instructional” materials and services.

- The Grad Nation Report finds graduation rates increased -- 78.2 percent in 2010 up from 71.7 percent in 2001.
- A number of miscellaneous items include:
  - a) The Center on Education Policy released findings comparing traditional schools to charter schools regarding types of civic education programs used and found only a few differences.
  - b) According to Education Week, separate studies from Columbia and Harvard Universities conclude that the way colleges use standardized placement tests can misidentify students and that secondary schools/universities should develop more comprehensive profiles of students’ strengths and weaknesses when projecting college performance levels.
  - c) A Pew Research Center survey of middle and high school teachers of Advanced Placement and related high-level programs have found that the Internet has had a major impact on their ability to access content and resources.
  - d) The College Board has released data showing that approximately 25 percent of the Class of 2012 passed at least one Advanced Placement exam, continuing a steady increase over the last three years; about 12 percent of the class of 2002 did so.
  - e) Elementary school teachers and principals feel technology competence among peers is more important than do high school teachers and principals.
  - f) Education Week highlights an MDR report which found educators seek, as potential business partners, firms with more effective and engaging materials and have staff which have good communications and listening skills.
  - g) University of Missouri research scientists have identified 69 studies of 33 different character education programs that had scientific evidence which supports the effectiveness of character education programs in enhancing academic goals of schools.

The state profile updates address a range of issues including state funding/budgets, Common Core State Standards, charter schools, voucher programs, and early childhood education.

**April 15, 2013** – Two Special Reports entitled “Special Report: USED Encourages States and Districts to Take Advantage of New Flexibilities to Meet Local District Needs in the Context of Sequestration and Federal Budget Reductions,” and “Waiver Funding Alert: USED Allows Title I Carryover Limitation Waiver for States and Districts” were sent to subscribers.

**April 26, 2013**

*April 26, 2013* – The Washington Update includes:

- The President’s FY 2014 education budget proposal includes some new priorities announced in the State of the Union Address and several other consolidation and other proposals included in the proposed FY 2011 budget, which suggests that these priorities will have to be incorporated into existing programs using reallocated funding because most of the proposed FY 2014 numbers should be considered “dead on arrival.” Subscribers should be on the lookout for new competitive grant announcements, which

will include some of these priorities and preferences and new guidance/addenda (e.g., Frequently Asked Questions) in large competitive grant and other programs such as SIG, TIF, state waivers, and Race to the Top.

- USED has announced proposed changes in the next round of Race to the Top with most funding going to previously funded states and perhaps some new ones related to early learning opportunities, with the remaining funds going to RTTT-District competitions, which must address the new priority of improving school climate.
- Highlights and takeaways from the SIIA Ed Tech Forum suggest a few new opportunities in the midst of a gloomy Federal policy and funding picture, including: a likely priority grade 11-12 remedial high school program, a new STEM-funding source under the immigration bill; and additional funding/state law changes creating opportunities for online digital learning.
- USED publishes new state waiver and School Improvement Grant guidance changes suggesting more Title I funds be reallocated to successful SIG schools, Priority and Focus Schools for interventions and expanded learning opportunities.
- The Continuing Resolution (CR) through September 30<sup>th</sup> for FY 2013 includes a provision which limits state penalties for violating Maintenance of Effort (MOE) provisions under IDEA, which could provide a limited amount of additional unexpected funding for some states to allocate to district special education programs, which in turn could provide some “windfall” funding to purchase products and services.
- The Southern Regional Education Board (SREB) reports that the number of students taking online courses has increased 400 percent between 2005 and 2011, but the number of state-run virtual schools has dropped from 15 to 12, as the number of districts providing online options has increased significantly.
- Head Start recompetition preliminary results announced without any official details, but rumors suggest only a few new “outside” providers are in the mix.
- USED awards this year’s SIG grants to states to turn around their lowest-performing schools which include some new, likely competitions for unfunded eligible schools.
- Senate legislative proposal to increase school safety does not include the President’s proposal to train school guidance counselors, support positive behavioral interventions, and facilitate early identification of mental illness services to increase quality of teaching and school leadership. (Update: proposed amendment to include President’s initiatives is “pulled” after “background check” bill was defeated in mid-April, but will likely be reconsidered later).
- Under the three-year, \$37 million Student Safety and Engagement grant initiative, 11 states have developed a “scorecard” to measure school climate regarding student safety and engagement which will be made available for use by any district, which should be taken into account by any TechMIS subscribers with school climate type products and/or services.
- The most recent AASA survey reports that three-fourths of district respondents said their districts would have to eliminate jobs as a result of sequestration, including, for the first time, special education. Previous surveys of sequestration impact reported deferrals of education technology purchases have occurred.
- A number of miscellaneous items include:
  - a) On March 14<sup>th</sup>, USED sent a letter to each state chief indicating that USED would consider granting a one-year extension of their Race to the Top scope of work

- agreement with USED.
- b) A new “developmental” math program developed by the Carnegie Foundation for Advancement of Teaching more than tripled the rates at which remedial students earned college math credit.
  - c) The National Catholic Education Association reports that more than two million students currently attend Catholic schools, approximately 30,000 fewer than in the 2011-12 school year.
  - d) The After-School Corporation (TASC) recommends that students who participate in out-of-school education and learning experiences should be able to earn credit based on their performance.
  - e) The *Early Ed Watch* blog reports the estimated additional Federal cost of Obama’s plan to expand pre-K to be between \$10 to \$15 billion per year.
  - f) According to Jobs for the Future, students enrolled in an early college high school/dual enrollment programs have a 93 percent graduation rate, while the national average is about 78 percent.
  - g) The Federal Education Budget Project (FEBP), the parent of *Ed Money Watch* at the New America Foundation, has updated its database on district-level IDEA special education Federal funding for 2010 and 2011.
  - h) The Multi-State Learning Technology Initiative, led by Maine with Hawaii and Vermont as partners (and likely to expand to additional State partners) will facilitate future technology procurements.

The state profile updates address: state budgets, Common Core State Standards, charter schools, school turnaround initiatives, parent trigger activities, and teacher evaluation news.

**May 22, 2013** – Two Special Reports entitled “Special Report: Preliminary Allocations to Districts Receiving Moderate-Significant Increases Beginning in School Year 2013-14,” and “Special Report: State Title I Allocations for FY 2013 (SY 2013-14) Show Some Winners Despite the Sequesters, Which Should Not Surprise Most TechMIS Subscribers” were sent to subscribers.

### **May 30, 2013**

*May 30, 2013* – The Washington Update includes:

- A moratorium on Common Core “high stakes” testing is becoming a definite possibility, following a major speech by AFT president Randi Weingarten.
- Andy Smarick, a seasoned education policy advisor, posted on Common Core Watch tough questions on Common Core assessment consortia, to which USED responds directly, suggesting significant challenges must be met rather quickly.
- The *Ed Money Watch* blog confirms that the bulk of the \$389 million in the Administration’s proposed 2014 budget would be directed to states that have adopted college and career-readiness standards “that are common to a significant number of states,” for implementation with only \$9 million for competitive grants to be two Common Core assessment consortia.
- As reported by the *Curriculum Matters* blog on Education Week, Alaska, which has not

formally adopted Common Core Standards, has been allowed by USED to join the Smarter Balanced assessment consortium.

- Most teachers report that Social and Emotional Learning (SEL) is critical to students' success and the development of key skills that are teachable, especially in schoolwide settings and improve "school climate."
- New AASA survey finds that more than 80 percent of districts report they provide professional development related to school climate, including school classroom management, engaging instruction, and positive behavioral supports.
- A survey conducted by Education Week has identified nearly 400 bills related to school safety filed by state legislators shortly after the shootings in Newtown, Connecticut, of which 48 bills are related to "school climate and student supports."
- A new Education Commission of the States (ECS) policy brief entitled "The Progress of Education Reform" describes best practices in the "new civics" which are widely "divergent" from the traditional textbook-based high school-based civics.
- The National Assessment of Education Progress (NAEP) has postponed its tests for civics, history, and geography in grades four and twelve indefinitely but will continue such voluntary NAEP tests only for eighth-graders.
- As a result of the sequester relating to Title I funding, USED will be forced to implement the existing supplement-not-supplant rule in a more flexible manner, according to Andrew Brownstein, veteran education reporter for *Title I-derland*.
- The American Association of School Administrators and the Consortium for School Networking, with the help of Gartner Inc., has prepared a guide and a checklist set of steps and resources which can be used to help districts gather, analyze, and use data to improve instruction.
- State funds for preschool programs were reduced by more than a half billion dollars in 2011-12, compared to the previous year, according to the most recent annual report from NIEER at Rutgers University.
- Findings from surveys of parents and students on use of mobile devices suggest continued growth in K-12, especially in specific areas.
- A new report from the National Science Foundation survey of science and math teachers (based on a nationally representative sample) includes findings which should be of direct interest to firms having to prepare proposals justifying the use of their products in district/national competitive grants, especially related to STEM activities.
- House initiates attempts to reauthorize ESEA this year.
- New childcare regulations emphasize learning/academics.
- Senate Immigration Bill includes USED funding for STEM education in addition to National Science Foundation (NSF) proposed funding.
- A number of miscellaneous items include:
  - a) Because a new version of the GED will be more costly and will no longer be available for paper-and-pencil administration, many states are seeking alternatives to traditional GED tests provided by the GED testing service.
  - b) The new partnership with Coursera and colleges of education will offer only non-credit, skill related professional development to educators
  - c) Because USED does not plan to furlough USED staff due to sequestration, it may have to scale back some planned grant competitions to make up for its budget shortfall, or possibly renegotiate existing grants/contracts.



- d) The Education Industry Association and AASA are exploring an arrangement by which EIA recommendations on technology and instructional products and services would be communicated to districts; AASA cautions that many details must be worked out.
- e) USED approves waiver requests from Alaska, Hawaii, and West Virginia, increasing the total number of waiver states to 37 and the District of Columbia.
- f) The National Association for College Admission Counseling reports that 13 percent of counselors spent 50 percent or more of their time on college readiness activities and 20 percent spent no more than 10 percent on the same activities.
- g) Obama administration officials highlight details of *Preschool for All* proposed during National Head Start Conference.

The state profile updates address: state funding issues, parent trigger laws, teacher evaluations, charter schools, and Common Core standards and assessments.

### **June 28, 2013**

*June 28, 2013* – In addition to a Special Report entitled: “ESEA Reauthorization Bills Abound in Congress With Some Widely-Divergent Provisions Among House and Senate Republicans, While Democrats Are Staking Out Positions, All of Which Suggests Reauthorization Compromises Will be Difficult to Reach; However, Some Generally-Agreed Upon Provisions By Congress and the Administration Could Be Incorporated into New Regulations/Guidance for Waiver Renewals,” the Washington Update includes:

- Secretary Duncan announces a new “flexibility” waiver for States which already received NCLB waivers before August 2012; it extends the period for meeting teacher evaluation requirements and school accountability assessments/sanctions by one year to 2016-17, which will have implications for many TechMIS subscribers.
- During recent AEP/AAP Content in Context Summit, an update was provided on state legislation and estimated state funding for instructional materials over the next one to two years.
- Secretary Duncan highlights important features of proposed High School Redesign initiative which, if not passed by Congress, will likely be incorporated into Race to the Top or other competitive grant “priorities.”
- President Obama’s “stated” highest priority in working with Congress this year is to pass legislation to fund his mental health school safety proposals.
- Update on new Head Start re-competition and Child Care and Development Block Grant regulations calls for quality improvement in learning.
- The most recent Education Week Diplomas Count, entitled “Second Chances: Turning Dropouts Into Graduates,” includes good market information on the K-12 credit recovery niche, suggesting continued opportunities for online/blended delivery
- District technology officials believe a major barrier to expanded use of district-purchased mobile devices will be management/control and related problems which could be partially reduced by new Office of Management and Budget definition of “devices” purchased with Federal funds.
- A number of miscellaneous items include:



- a) USED has announced that more than half of the Small Business Innovation Research (SBIR) contract awards for entrepreneurial small businesses were for firms which are developing games and related projects, which is more than any previous year.
- b) A recent policy brief by Brookings Institute and Princeton University researchers calls for consolidation of the TRIO program (including GEAR UP) and more rigorous evaluations of program effectiveness.
- c) Ultraconservative House members are planning to re-submit the A-PLUS Act proposal which, according to *Politics K-12*, could mean “tough sledding for the Kline bill when the measure moves to the floor of the U.S. House of Representatives, likely in July.”
- d) A recent National School Supply Education Association (NSSEA) survey found that, during the 2012-13 school year, teachers spent slightly over \$1.5 billion purchasing education products.

The state profile updates address a wide range of issues, including: early childhood education, teacher evaluation, Common Core State Standards, vouchers, and online education.

### **July 24, 2013**

*July 24, 2013* – In addition to a Special Report entitled: “Senate Appropriations Committee Markup for FY 2014 Budget Includes \$750 Million for President’s New Preschool Initiative and an Increase of \$1.6 Billion for Head Start, But Falls Short of the President’s Other Funding Requests,” the Washington Update includes:

- The President’s ConnectED initiative, according to a White House press release, calls for E-Rate updates and reforms with increased funding to expand connectivity. It would also create an environment conducive for expanded use of feature-rich digital devices; however, rather than relying on the market mechanism foundation of the original E-Rate program, it would favor certain technology industry sectors and creating third-party validators to assist in selecting Open Education Resources (OER), and public domain resources for K-12 education, which could jeopardize the overall E-Rate reform initiative.
- Among technology advocates and education groups, there exist different perspectives on ConnectED and the probability of certain outcomes stemming from the FCC’s efforts to reform the E-Rate program. On July 19<sup>th</sup>, the FCC announced the launch of its “modernization of the E-Rate program,” (with details to follow) in an “unofficial” proposed brief; draft detailed rules for public comment should be available shortly and we will address them in future TechMIS reports.
- The most recent Stanford University multi-state study of charter schools finds charters outperforming regular schools over time in reading, but about the same in math. Findings in part are attributed to the role of charter authorizers, particularly in closing low-performing charter schools.
- Secretary Duncan challenges charter leaders, during the national Charter School conference, to partner with districts to become “incubators of innovation,” to replicate in public schools best practices clearly demonstrated in charter schools, following the Stanford University study’s recommendation.

- Some states will, but others will not or can not, take advantage of Secretary Duncan’s waiver offer to extend by one year teacher evaluation requirements and the option to use existing state assessments or one of the CCSS consortia field tests to minimize “double testing.” If the new round of USED guidance for districts to reapply for additional two-year waiver extensions “backtracks” on other initial waiver conditions which state legislatures have passed as “mirror image” laws, then a host of unintended consequences will arise in many states.
- New USED guidance on integrating extended learning time (ELT) into 21<sup>st</sup> Century Community Learning Centers’ programs in states with approved waivers provides some clarifications, which could have implications for firms targeting the 8,000+ after-school programs and centers (e.g., under ELT, 21<sup>st</sup> CCLC funds must be used to serve all students in a school, not just those targeted for enrichment in after-school programs which is now the case). Sales staff need to be aware of the tensions between after-school program advocates and extended learning time advocates in school districts when they approach them.
- The House passes the Student Success Act HR-5 -- Chairman Kline’s ESEA reauthorization proposal -- which supports computer-based adaptive testing, as we predicted in our June TechMIS report. And while it supports Title I portability, in which Title I funds would “follow the child” to other public schools or charter schools, it would not require that teacher evaluations be based in part on student performance.
- Technology-using teachers and administrators report mobile digital devices use in schools is growing significantly in the area of professional development and instruction, according to Project Tomorrow Speak Up’s April report.
- A number of miscellaneous items include:
  - a) The PARCC assessment consortium has delayed the implementation of some of its non-summative assessment components, but appears to be on schedule with some of the other components, according to the *Curriculum Matters* blog in Education Week.
  - b) *Teacher Beat* blogger Stephen Sawchuk, who covers the annual NEA and AFT conferences, outlines high points of the NEA’s new approved policy statement on digital learning which “outlines the NEA’s best hopes and worst fears about the exploding digital learning movement and all that it encompasses.”
  - c) A new ECS survey of states’ pre-K funding for the 2012-13 school year has found that about half of the states have increased pre-K funding over the last year, many substantially. The report includes state summaries of funding and recent policies as prepared by veteran fiscal analyst Michael Griffith.

The state profile updates address a wide range of issues, including: state budgeting, Common Core State Standards and assessments, waivers, and charter schools.

### **August 2013**

*August 28, 2013* – In addition to three Special reports entitled: “Special Report: Final Title I Allocations to Districts Receiving Moderate/Significant Increases Beginning in School Year 2013-14 (Updated August 8, 2013);” “Special Report: New Report Highlights New Flexibilities Allowed in Schoolwide Programs Without Violating Title I Supplement-Not-Supplant

Provisions, Which Will Most Likely Be Detailed in Official Policy in New USED Guidance Expected Shortly;” “Special Report: FCC Notice of Proposed Rulemaking for Modernizing the E-Rate Seeks Comments on Increasing Consortium Purchasing and Direct BEAR Reimbursement to Districts of Discounts Which Could Provide Opportunities for Firms With Products/Services That Are Not E-Rate Eligible,” the Washington Update includes:

- The Center on Education Policy (CEP) conducted a survey of state leaders which found that the majority of state officials feel it is unlikely that their state would reverse, limit, or change its direction to adopt Common Core Standards during the 2013-14 school year. However, without ESEA reauthorization occurring, many states that received waivers see the need for additional regulatory and non-legislative actions to help them implement Common Core Standards and assessments, for which USED guidance is expected shortly.
- Two companion CEP reports based on the above survey identified progress, but most importantly challenges facing states and districts in implementing Common Core activities, which could provide opportunities for some TechMIS subscribers in the areas of professional development, curriculum, and other support services for both SEAs and districts with limited capacity and expertise.
- On August 13<sup>th</sup>, USED published final revisions of the Education Department General Administration Regulations (EDGAR) which are designed to increase the priority of using “evidence-based” criteria in competitive grant applications, and most likely in the future could indirectly encourage the use and incorporation of evidence-based practices and research in formula programs such as Title I.
- The first analysis of challenges/problems identified among the 16 Race to the Top winning districts which are implementing personalized learning, mastery testing, and blended learning environments has been published by the American Institutes of Research (AIR). TechMIS subscribers which are working with districts preparing applications for the current Race to the Top competitive grant round should take the AIR findings into account citing applicable AIR findings.
- While the waiver approval for the eight California CORE districts has major implications for K-12 education general policy governance (e.g., USED working directly with districts bypassing SEAs), the substantive changes proposed by the districts (e.g., placing a high priority on school climate improvement interventions and related innovative approaches) could have significant implications if they establish precedence and result in expanded adoption in California and other districts seeking waivers.
- In order to improve summer school programs, the RAND Corporation in its first report of a multi-year study recommends the use of evidence-based curriculum which is tailored to meet individual student needs and abilities, but is anchored in a commercially available and tested curriculum. The study, funded in part by an independent foundation, is noteworthy by recommending the use of a tested, commercially available curriculum.
- IESD has released its results of its new national survey of mobile technology in K-12 which found a steady surge in the adoption of such technology over the last year, with continued growth very likely in the next two years. The IESD survey is the best on this topic, which has been addressed in surveys by other groups with certain vested interest recently, and is available from IESD.
- The pros and cons of including achievement data in teacher evaluations in preK-3 was addressed by a recent New America Foundation panel with several recommended

approaches, which could have implications for some TechMIS subscribers in the way products are positioned and designed.

- According to officials, USED will be placing a higher priority on measuring outcomes of students with disabilities rather than the current focus on compliance with IDEA provisions and will likely support the use of statewide interventions following a three tier framework used in implementing Comprehensive Early Intervening Services/RTI.
- The U.S. Department of Defense Education Agency (DODEA) recently awarded 15 school districts a total of \$20 million to implement STEM and directly related activities and, according to a press release, intends to award additional grants to other districts serving relatively large numbers of students from military families on nearby installations across the country.

The state profile updates address a wide range of issues, including: Common Core State Standards, district/school accountability systems, instructional materials acquisition, NCLB waivers, virtual education, and college participation/remediation.

### **September 2013**

*September 26, 2013* – In addition to two Special Reports entitled: “New Waiver Renewal Applications Have Direct Implications for Many TechMIS Subscribers;” and “While the Most Recent Center on Budget and Policy Priorities (CBPP) Report on State K-12 Funding Paints a Dampening Picture on the K-12 Market, It Omits Several Possible Opportunities Which Could be Created in Niche Markets Such as Title I,” the Washington Update includes:

- A USED letter which updates its Initiative to Maximize Flexibility in the use of IDEA, Title I, and Title II and non-Federal funds in schoolwide programs could create opportunities (e.g., school climate improvement interventions) for TechMIS subscribers, especially when official guidance becomes available shortly.
- Findings from CEP report on state Common Core assessment preparation suggests technological and funding challenges, in addition to Secretary’s June 18<sup>th</sup> waiver extensions on teacher evaluation Deadlines, could delay the creation of some opportunities for TechMIS subscribers (e.g., remediation for 11<sup>th</sup>-12<sup>th</sup> grade students).
- A new guide from the Chief State School Officers could result in greater uniformity across states in defining English language learners (ELLs) and “former” ELLs so they can/should exit English programs such as Title III English Language Acquisition.
- A new NCES report provides some details on K-12 education expenditures for 2011 by states and the top 100 districts.
- Schools in five states in the TIME Collaborative began implementing extended learning time (ELT) by adding 300 hours to the school year.
- A new report finds the current Title I formula and funding patterns disproportionately favor rural school districts in low cost-of-living states which overturns “conventional wisdom” that the Title I formula, particularly the Incentive Component, favors large cities which could be a hot issue in ESEA reauthorization debates.
- USED and HHS released the application for Race to the Top-Early Learning Challenge (RTT-ELC) grant 2013 competition with a small but important change in priority preferences from last year’s competition.
- A number of miscellaneous items are also addressed including:

- a) USED final proposed rules to do away with the so-called 2% modified achievement alternative assessments taken by more than one million students with disabilities to increase the chances of becoming proficient under NCLB.
- b) More than 400 districts and other entities have submitted letters of intent to compete for a second round Race to the Top-District grants, which total about \$120 million.
- c) The National Center for Special Education Research has been awarded a five-year \$10 million grant to create the Accelerated Achievement Research Center (headed by Dr. Doug Fuchs, Vanderbilt University) which could have implications for firms positioning their products as facilitating RTI approaches.
- d) A new NCEES report on parent and family involvement in education provides useful updated information on how schools currently involve parents which has become a higher priority within the Administration.
- e) The latest Center on Education Policy report on Common Core State Standards finds SEA officials in 35 of 40 reporting states said that working with higher education institutions in their state to transition to CCSS is a “major” or “minor” challenge; CCSS assessment tests which are used will affect placement/remediation decisions by most universities/colleges.

The state profile updates address a wide range of issues, including: state assessments, the Common Core State Standards, state waivers, online education, and the Next Generation Science Standards.

**October 2, 2013** – A Funding Alert entitled “Implications of Extended Government Shutdown” was sent to subscribers.

**October 10, 2013** – A Funding/Waiver Update entitled “USED Releases Field Test Flexibility Guidance Which is Strewn With Complexities and Raises Some Unanswered Questions Which Remain Due to Shutdown and Which Could Have Implications for Some TechMIS Subscribers” was sent to subscribers.

**October 29, 2013**

*October 29, 2013* – In addition to a Special Report entitled: “The October 17<sup>th</sup> Debt Ceiling/Federal Shutdown Negotiated Deal Has Now Evolved Into a Budget Battle Over Funding Levels and Future Sequestrations, Which Will Have an Even Greater Impact on Education Funding Than the Shutdown,” the Washington Update includes:

- New USED guidance sent to state and district Title I coordinators will likely result in “newly opening” or “significantly expanding” charter schools which are designated “LEAs,” receiving increased Title I allocations mid-year when final enrollments are estimated. These “new funds” could be taken from the State 4% SEA set-aside for school improvement which normally would be allocated to priority and focus schools. Even though the number of such charter school LEAs may be small, some mid-year purchasing opportunities may exist.
- USED approves the Texas NCLB flexibility waiver request which has implications for state waiver renewals for 35 other states. The USED-approved, conditional, one-year



waiver for Texas allows the state 4% set-aside (Section 1003a) for school improvement to be used in specific districts, not only for interventions in priority and focus schools, but also for districtwide reform initiatives and interventions which could facilitate districtwide purchases of certain tools and applications that help priority and focus school “turnarounds.”

- A letter to Secretary Duncan from major education reform and civil advocacy groups recommends that USED follow tougher/stricter interpretations of requirements placed on states seeking waiver renewals. If the strict interpretations of requirements are followed by USED, opportunities could be created for TechMIS subscribers who provide interventions and related professional development and support for low-performing students, especially in priority and focus schools, and earlier identification of these schools for targeting.
- The first of three Early Childhood Technology Today surveys reports that a majority of early childhood educators use technology because children enjoy it and it helps meet program goals. The majority of teachers using technology have desktops or laptops with far fewer having access to iPod Touches, smart phones, or tablets.
- For certain technology products, TechMIS subscribers should consider getting on the GSA schedule and suggest that district purchasing officials use GSA Cooperative Purchasing to save time on procurements. Small businesses which sell devices, tools, ADP, software, cloud computing devices, and professional development can use GSA schedules as a way to gain visibility and increased sales to districts aware of the GSA Cooperative Purchasing Schedule.
- In the eight states which have not received NCLB state waiver flexibility, districts must still meet most NCLB provisions and can take advantage of prior 2010 “flexibilities” which can provide TechMIS subscribers opportunities for expanding professional development and intervention sales, especially in districts which are identified for improvement.
- The influential Business Roundtable (BRT) plans to create an independent organization to review curriculum and instructional materials to determine their alignment with Common Core State Standards to “help educators make well-informed, cost-effective decisions.”
- A number of miscellaneous items are also addressed including:
  - a) The third annual “Primary Sources” survey reports that 97 percent of teachers are aware of Common Core State Standards and 73 percent are enthusiastic about implementation. The top two challenges are to provide more teacher planning time to find materials and plan lessons and to provide quality professional development, especially for teachers of at-risk student populations.
  - b) The 1,200+ districts which receive portions of the \$1 billion annual Impact Aid appropriation will shortly be receiving about a third of their money -- much earlier this fiscal year following an announcement by USED officials at the recent National Association of Federally-Impacted Schools (NAFIS).
  - c) The Federal Education Budget Project (FEBP) has posted its 2012 school year district-level spending of state pre-K funds, which also includes data for Head Start programs in more than 180 school districts.
  - d) NGA and CCSSO has been joined by other Common Core advocate groups, including the National Conference of State Legislatures, to create a six-state



Collaborative in which associations will provide some funding and technical support to help states share practices and implement the Common Core State Standards.

- e) Almost 220 Race to the Top district applications have been submitted for a total of \$120 million in new grants that must be awarded by December 31<sup>st</sup>.
- f) The number of states renaming “Common Core” standards and assessments continues to increase.

The state profile updates address a wide range of issues, including the Common Core State Standards and assessment consortia, state assessments, school funding, voucher programs, schools/districts identified for improvement, and technology initiatives.

**November 20, 2013** – A Waiver Renewal Alert entitled “USED Plans to Loosen/Remove Some State Waiver Renewal Requirements” was sent to subscribers.

### **December 5, 2013**

*December 5, 2013* – In addition to a Special Report entitled: “Waiver Renewal Update on Guidance on Teacher Evaluation Extension and Double Testing,” the Washington Update includes:

- USED reports its findings on the impact of School Improvement Grant programs on Tier I and Tier II schools funded in 2010-11 and finds mixed results which could lead to greater flexibility beyond the four prescribed intervention models.
- New Center on Education Policy report describes how states are defining “career readiness” (the often neglected other half of “college-readiness”), current assessments states and districts use, and the impact the Common Core State Standards have had, which could provide opportunities for some TechMIS subscribers in the immediate future.
- A new report finds the number of state categorical education programs have declined since 2008, but those providing funding for interventions for low-performing students have increased proportionately to those remaining.
- New Brookings Institute report estimates the cost per-pupil will increase only a few dollars if a few states withdraw from the PARCC and Smarter Balanced assessment consortia.
- USED threatens California to withhold \$15 million in Title I administrative funds, along with other funds, if California implements the new state AB 484 law; California responded that more than 90 percent of its students Statewide will take the Smarter Balanced field test next year which should satisfy USED and preclude California from having to use field test results for accountability purposes.
- A new Center on Education Policy report describes state activities and challenges to help districts prepare students with disabilities for transition to the CCSS-aligned curriculum and assessments; opportunities for TechMIS subscribers are more likely to be in the area of replacing the so-called 2% modified standards alternative test for approximately one million students.

- An updated AASA report identifies states in which districts will be impacted most by sequester cuts in 2014, should they happen once again.
- The White House announces the “Youth Career Connect Grants” initiative which would provide 25 to 40 grants to LEAs or other non-profits to build upon the President’s initial High School Redesign proposal in the State of the Union and reform career and technical education.
- The Administration continues to rely on Secretary Duncan’s waiver authority and other executive discretions to fund some of the administration priorities, bypassing Congress. “Misabeled” opportunities could exist in some current existing competitive grant programs.
- A number of miscellaneous items are also addressed including:
  - a) USED has solicited comments on its proposal to place a priority on most USED competitive grant programs which target “promise zones.”
  - b) USED has announced 31 finalists in the \$120 million Race to the Top-District competition of which, according to Education Week’s Politics K-12 blog, ten winners are to be selected each of which will receive between \$4 and \$30 million.
  - c) A new report from the Center for Public Education (CPE), the research arm of the National School Boards Association (NSBA), finds that the ways states evaluate teachers vary significantly, as reported by Stateline, the daily news service of the Pew Charitable Trust (October 9<sup>th</sup>).
  - d) As reported by Education Week (November 4<sup>th</sup>), Florida received approval to reallocate \$1 million of its \$700 million Race to the Top award.
  - e) The new non-profit National Center for Special Education in Charter Schools -- funded independently by a number of charter school groups, the Walden Foundation, and other foundations -- has its mission to break down barriers which stand in the way of enrolling and educating students with disabilities in charter schools.
  - f) USED has announced the 25 highest-rated applications (HRA) from districts and non-profits under the fourth round of the Investing in Innovation (i<sup>3</sup>) competition for more than \$135 million.
  - g) A new federally-funded website offers Common Core lesson plans especially for special education teachers who are “looking for ways to weave technology into Common Core themed lesson plans.”
  - h) A summary of MDR’s new survey in Education Week’s Marketplace K-12 blog (November 27<sup>th</sup>) reports that replacing textbooks with online resources was reported as a high to medium priority initiative by 78 percent of responding curriculum directors, while procuring apps was a high to medium priority for 77 percent.
  - i) A new Washington Insider survey finds that most influential policy “insiders” believe most USED policies are meant for urban and suburban districts, not rural ones.

**December 20, 2013** – A Budget Sequester Alert was sent to subscribers.

## **2014 TechMIS Washington Update Topics**

**January 15, 2014** – A Funding Alert entitled “FY 2014 Budget Looks Good” was sent to subscribers.

### **January 28, 2014**

*January 28, 2014* – In addition to a Special Report entitled: “FY 2014 Appropriations Restores Much of the FY 2013 Sequester Cuts, Postpones Immediate Future Sequester Cuts for Two Years, and Will Provide Some Opportunities for Most TechMIS Clients, Especially in Title I and Head Start/Early Childhood Funded Programs,” the Washington Update includes:

- The *Fall 2013 Fiscal Survey of States* Concludes that State Budget Volatility is Declining, But Growth Remains Slow, While General Funding for K-12 Education in 42 States Shows a Net Increase of \$8.8 Billion, but an Expected Slowdown in 2014
- Forty-Five Percent of Allocations for the First 12 Race to the Top Winning States Still Available and Not Drawn Down from USED; Details Could Point to Opportunities
- USED Announces Results of the Most Recent State Monitoring Findings Which Must Be Addressed by Each State in Applying for Its One-Year (Previously Two-Year) Extension of State Waivers Under ESEA Flexibility
- AAP Reports Sales of Instructional Materials Up in 2013
- Most Recent Race to the Top-District Competition Primarily Benefits Rural Districts, Which Received Almost Three-Fourths of \$120 Million Grants
- ECS Report Summarizes New Legislation in 25 States Enacted in 2013 Legislative Sessions Include Bills Addressing New Redirected Funding into Reading/Literacy Priorities for Pre-K-Grade 3 Students
- A New Report From The After School Corporation Estimates the Wealth Inequality Impact on the Amount of Learning Time and Resources Allocated Between Wealthy and Poor Families Influences the Wide Achievement Gap Between Students from Wealthy and Poor Families
- National Joint Powers Alliance Has Provided Four-Year Contracts With Firms for Pre-K Curriculum and Related Products Which Will Allow Member Districts (almost 10,000) to Purchase Off the Contracts Rather Than Issue RFPs
- A number of miscellaneous items are also addressed including:
  - a) USED has announced that seven states will receive collectively more than \$43 million under the School Improvement Grant program to continue their efforts to turn around the lowest-achieving schools, including two states with new competitions.
  - b) Having released in November its report on the achievement impact of SIG schools (first cohort funded), USED is revising the analysis because the outside contractor “erroneously left out too many schools that should have been included in the mix,” according to Education Week’s Politics K-12 blog (December 11<sup>th</sup>).
  - c) Education Week reports a pledge by Vice President Joe Biden, on the anniversary of the Newtown Connecticut shooting, for a Federal funding increase of \$100 million to boost mental health services.
  - d) Education Week (December 11<sup>th</sup>) reports that companies would be required to pay annual fees to ensure compatibility of their devices with Common Core State Standards assessments being developed by the two testing consortia.

- e) A new Center for American Progress (CAP) report finds that 24 of more than 40 waiver states have been provided ESEA flexibility to use 21<sup>st</sup> CCLC funds for in-school expanded learning time (ELT); less than ten have taken the option seriously.
- f) USED announced in the December 3<sup>rd</sup> Federal Register -- with comments due on January 2<sup>nd</sup> -- proposed priorities for charter school grantees in the next round of applications.
- g) USED has announced that the 25 highest-rated i<sup>3</sup> grant applications (HRA) have obtained a commitment for the 15 percent matching requirement which was the last step for their winning grants in the current \$134 million i<sup>3</sup> program.
- h) Education Week reports that the newly designed College Board SAT, which has been realigned with Common Core State Standards, will become available in Spring 2016 -- a year later than previously predicted.
- i) Two state superintendents have joined Chiefs for Change in December.

Also included in this TechMIS issue are state profile updates which address: Common Core State Standards/assessments, state education funding, teacher evaluations, and early childhood education.

## **February 2014**

*February 20, 2014* – In addition to two Special Reports entitled: “The FCC Plans to Double E-Rate Funding for Connectivity Which Could Help Not Only Telecommunication Priority 1 Service Providers, But Also Many Firms With Instructional Products and Services Which Are Not Eligible for E-Rate as Districts With Pending Appeals Use the So-Called BEAR Process,” and “National Title I Conference Highlights and Exhibitors’ Perspectives,” the Washington Update includes:

- USED Provides Examples Encouraging Districts to Use ESEA Title I (e.g., Schoolwide Programs) and IDEA Funds to Purchase Mobile Devices and Related Technology (see our April 15, 2013 TechMIS report for more examples and details)
- The “School Choice Week” Washington Insiders Survey Projects Continuing Growth in the School Choice Options; Senator Alexander Has Submitted Legislation to Expand School Choice With Proposed \$24 Billion Consolidation of ESEA Funds
- Unspent Race to the Top Money in 12 Initially-Funded States Could Provide Opportunities for Firms
- Representative Bobby Scott (D-VA) Is Now Actively Seeking the “Ranking Member” Slot on the House Education Committee Following Announced Retirement of Current Ranking Member George Miller (D-CA)
- Administration Pressures on States/Districts to Adopt and Implement Common Core Standards and Selective Waiver Renewal Provisions Draws GOP Congressional Legislative Opposition and Critical Letters from Different Quarters, Including Democrats and Civil Rights Groups
- Office of Head Start (OHS) Announces Third Group of Grantees Required to Re-Compete for Funds
- The National Council on Teacher Quality (NCTQ) Reports that, in 20 States Student Achievement or Academic Growth is Weighted as the Most Significant Factor in Teacher

## Evaluations

- USED has Released Non-Regulatory Guidance Which Allows Charter Schools Which Receive Federal Charter School Funds to Conduct Weighted Lotteries in Favor of Various Groups of Disadvantaged Students
- A number of miscellaneous items are also addressed including:
  - a) The “Time to Succeed Coalition,” co-chaired by the National Center on Time and Learning and the Ford Foundation, is providing an interactive map with up-to-date information on state legislation and state policies concerning expanded learning time, which according to Education Week’s Time and Learning blog (January 7<sup>th</sup>) is available to educators, advocacy groups, and others promoting extended learning time.
  - b) Virtually all states have laws/regulations for rapidly growing dual enrollment, some of which are being changed to improve the availability and accountability of dual enrollment programs, according to a new database report by the Education Commission of the States (ECS).
  - c) On December 19<sup>th</sup>, USED announced that Michigan, Georgia, Pennsylvania, Kentucky, New Jersey, and Vermont won a total of \$280 million under the Race to the Top-Early Learning Challenge.
  - d) The National AfterSchool Association has identified several trends which, if they continue to grow in 2014, have implications for some TechMIS subscribers, especially those with STEM-related programs.
  - e) The new ECS State Pre-K Funding Report finds state funding for pre-K increased by \$363.6 million to a total of \$5.6 billion, which is a 6.9% increase over last year.
  - f) Chairman John Kline of the House Education and Workforce Committee has asked the Government Accountability Office to determine the impact of various special education paperwork requirements on student performance and the degree to which these requirements have been implemented over the last few years.
  - g) A new "survey experiment" by the Friedman Foundation for Educational Choice reports that Americans perceive the most effective school reform efforts to be smaller class sizes, use of technology, accountability, followed by vouchers.
  - h) As reported in Education Week’s Curriculum Matters blog (January 17<sup>th</sup>), according to ETS, 11 states have dropped the GED and have signed up to use the ETS HiSET.
  - i) Developed by the University of Nebraska at Lincoln Extension in partnership with the Noyce Foundation, the Click2Science website is providing video professional development tools to help after-school staff working on STEM programs.
  - j) USED announces SIG grants totaling \$39 million to seven states -- Colorado, Indiana, Kansas, Massachusetts, New Mexico, Utah, and Washington -- to continue efforts to turn around lowest-achieving schools.
  - k) A new Government Accountability Office report has found that 62 of 92 Investing in Innovation (i<sup>3</sup>) program projects funded between 2010-2012 used teacher and principal professional development as the key strategy.
  - l) Washington insiders provided their pessimistic perceptions that most proposals in the President’s State of the Union address would not likely be funded.

- m) E-Rate Update on Districts With “Potential” E-Rate Refunds for Purchasing Non-eligible Products and Services

**March 7, 2014** – A Special Report entitled “Opportunities in Early Education/Head Start: Marketing Strategy Suggestions” was sent to subscribers.

### **March 2014**

*March 27, 2014* – In addition to three Special Reports entitled: “Special Report: FY 2015 Budget Proposal Has Few New Initiatives But Does Reflect Priorities, Some of Which Will Be Funded Through Existing Programs,” “Special Funding Alert: Big Districts Receiving Preliminary Title I Allocation Increases,” and “Special E-Rate Funding Alert: About \$2 Billion Likely Available for Districts to Purchase Non-E-Rate Eligible Products,” the Washington Update includes:

- In January, USED/Department of Justice issued guidance on school safety and school climate improvement, reflecting the Administration’s policy priorities on effective practices, which could be useful to TechMIS subscribers who might partner with districts submitting competitive grant proposals for funding from different sources over the next year or two.
- This update includes Highlights from the CCSSO annual legislative conference, especially comments by CCSSO President Terry Holliday, Kentucky Commissioner of Education, Secretary Duncan, and FCC Chairman Joe Wheeler on E-Rates.
- A new report from the Education Commission of the States summarizes state legislation, passed in 2013, which is designed to assist schools to identify and help students with mental health issues.
- Another ECS report addresses dual enrollment as a promising strategy for workforce investment and college completion which could provide opportunities for some TechMIS clients who focus on Career and Technical Education.
- Included in College Board President David Coleman’s announcement that the SAT would be changed was another announcement that a new partnership with Khan Academy was being implemented to provide free student support to reduce the need for costly “traditional test prep” services.
- A number of miscellaneous items are also addressed including:
  - a) The annual Scholastic/Gates Foundation survey of teachers found that 73 percent of teachers believe implementing the Common Core Standards is or will be challenging, but at the same time, as implementation progresses, teachers increasingly see the positive impact on students.
  - b) The recent issue of State Line analyzed some of the state pre-K initiatives, and cautioned that the “catch is how to pay for it.”
  - c) A Harris Poll of a representative sample of more than 1,000 teachers found they assigned an average of 3.5 hours a day of homework to high school students.
  - d) A bill to revise the Childcare and Development Block Grant program was taken up by the whole U.S. Senate and passed.
  - e) A March Education Insider survey by Whiteboard Advisors reports that 73 percent of “insiders” believe education companies are currently in violation of education privacy laws (i.e., FERPA, COPPA and related laws).
  - f) The American Federation of Teachers’ President Randi Weingarten said that the AFT will no longer accept \$1 million a year in grants from the Gates Foundation



for its Innovation Fund which has been used to help teachers implement the Common Core Standards since 2009.

- g) Education Week's On Special Education blog (March 7<sup>th</sup>) provided data indicating that the per-child allocation by IDEA preschool programs has been declining over the last few years.
- h) USED announces \$95 million in SIG grants to ten states and releases a report on how community engagement and school turnaround activities have been used effectively.

Also included in this TechMIS issue are state profile updates which address: issues relating to the Common Core State Standards and evaluations, state funding, charter schools, K-12 data systems, and dual credit programs.

**April 25, 2014** – A Special Report entitled “Preliminary Allocations to Districts Receiving Significant Increases Beginning in School Year 2014-15” was sent to subscribers.

### **May 9, 2014**

*May 9, 2014* – The Washington Update includes:

- The highlights of the 2014 Council of Great City Schools Annual Legislative Policy conference addressed the recently-passed FY 2014 budget and proposed 2015 budget opportunities and several competitive grant programs, including School Improvement Grants. Legislative changes included in the FY 2014 budget on two new interventions (e.g., whole school reform strategy), according to USED officials, are still being developed, although many districts are moving quickly before guidance comes out.
- The SIIA Education Government Forum on mobile learning addressed a number of important issues through panel discussions, including curriculum/program alignment with Common Core Standards and assessments. SEA changes have, to some extent, paralyzed the market, even for “newly-aligned” publishers’ curriculum/products; and the new FCC E-Rate Modernization Initiative (see February TechMIS Special Report) and student data privacy changes were also addressed.
- USED has announced new rounds of School Improvement Grants totaling more than \$159 million to seven states for most to continue turnaround efforts with lowest-achieving schools; some new start-up competitive grant priorities versus continuation grants are planned in certain states such as California.
- The House Education Committee has proposed its version of USED’s Institute of Education Sciences reauthorization and includes several provisions which have positive implications for many TechMIS subscribers who might be considering participation in USED sponsored future evaluations of interventions and related products.
- USED has announced the 24 grantees receiving more than \$100 million for high school reform funded out of U.S. Department of Labor H-1B visa fees from firms which hire foreign technology workers; this project announced last November is an example of USED efforts to fund some of its priority initiatives which Congress will not fund, through the use of other competitive programs over which there is some discretion given to the Secretary.

- GOP Senators’ have sponsored a recent proposal to bar USED from spending any more money on Common Core and related assessments; Secretary Duncan’s most recent testimony before appropriations committees argued “zero Federal grants” have been provided for Common Core implementation, which is one of the top three priorities of this Administration.
- A number of miscellaneous items are also addressed including:
  - a) USED plans to place a “final priority” on appropriate funds from other agencies such as Department of HUD that support activities in designated Promise Zones, following a proposed priority published in the Federal Register (October 25<sup>th</sup>).
  - b) The Sacramento School district, which is one of the eight California Office to Reform Education (CORE) districts which received district waivers (including Los Angeles and Long Beach) is turning down the waiver for cost and teacher union related problems; and the district will revert back to being under NCLB provisions.
  - c) USED has announced the availability of Innovation in Education (i<sup>3</sup>) grant applications for scale-up and validation projects following publication of applications for developmental grants in March; however, for-profit organizations are not allowed to participate directly, but some opportunities could exist, but are not likely.
  - d) In one of her last duties before joining College Board, *Politics K-12* blogger Michele McNeil interviewed Secretary Duncan in mid-April to discuss his priorities for the remaining two and half years which include expanding high-quality early education, including pre-K development initiatives, and implementation of Common Core Standards and Assessments; however ESEA reauthorization was not listed as a priority.

### **May 29, 2014**

*May 29, 2014* – In addition to two Special Reports entitled: “Special Report: E-Rate Update on Districts With ‘Potential’ E-Rate Refunds for Purchasing Non-eligible Products and Services, Such as Instruction and Evaluation Software and Professional Development,” and “Washington State Loses NCLB Flexibility State Waiver Status Because of Teacher Evaluation State Laws and Will Return to Most NCLB ‘Negotiated’ Provisions Which Could Have Implications for TechMIS Subscribers if Other States Follow Suit,” the Washington Update includes:

- House Measure Passes Refinement to Federal Charter School Program Which Could Have Positive Implications for Some TechMIS Subscribers
- USED to Allow States More Time and Flexibility to Implement Teacher Evaluation Requirements (Principle 3) for Waiver Renewal for States that Are Making Authorized “Targeted Substantive Changes” in Their Plans
- Charter Schools Receive About \$3,800 Per-Student Less Than Traditional Public Schools from All Sources, a Gap That Has Increased Over the Last Few Years
- Secretary Duncan’s Testimony Before the Senate Appropriations Subcommittee Addresses, as Expected, Preschool Early Childhood Expansion and Unexpectedly Expanded Bandwidth and New Technologies
- States Take the Lead in the Reforming Career and Technical Education (CTE) Governance and Reforms, Including Adopting/Approving New Curriculum

- A number of miscellaneous items are also addressed including:
  - a) Achieve has released EQuIP -- a rubric for measuring alignment to the next generation of science standards -- which have been adopted thus far by 11 states and the District of Columbia.
  - b) Chairman of the Education and Workforce Committee John Kline sent a letter on April 29<sup>th</sup> to Chairman Harold Rogers on the Appropriations Committee requesting \$1.5 billion more for IDEA over the FY 2014 budget which would total almost \$13 billion for FY 2015.
  - c) The USED Institute of Education Sciences has received new funding under the Javits Gifted and Talented (G&T) Students Education Program and will fund the National Research and Development Center for the Education of Gifted and Talented Children and Youth.
  - d) A new White House report provides a regulatory “framework” which is designed to ensure individual data collected on students in schools is used only for education purposes.
  - e) USED announces some details for the \$250 million new Preschool Development Grants (PDG) initiative included in the 2014 budget.
  - f) In a retreat from earlier proposals, the House Appropriations Committee has approved increased spending limits for the FY 2015 budget for Labor, Health and Human Services, Education funding at \$155.7 billion, which is about \$1 billion less than last year’s budget for all three departments.

The state profile updates included in this TechMIS issue focused primarily on budgets, especially for new or expanded programs; USED negotiated settlements for a limited number of states regarding state waivers approved or revoked; and state activities related to some of this Administration’s priorities, including charter schools and state Race to the Top funding and expenditures.

## **June 2014**

*July 2, 2014* – In addition to two Special Reports entitled: “Special Report: A New Guide on ESEA Federal Programs Which Can Be Used by Districts and Other Eligible Groups to Fund Social and Emotional Learning (SEL) Purchases, Activities, and Prevention Programs Can Be Helpful to Firms Which Have Related Products and Services,” and “Special Report: Highlights of Content in Context AEP/AAP Conference June 2 – 4,” the Washington Update includes:

- The Administration’s ConnectED Initiative Is Underway With Ten Major Technology Firms Having Committed \$2 Billion in Donations, for Which Districts Have to Submit Applications Due Shortly; Updates Will be Provided Based on Briefings and Interviews We Are Conducting
- AASA Survey Finds More Than 85 Percent of Districts Have Adopted Common Core Standards and Most Have Already Implemented Them; Most Feel Major Challenges Are Professional Development, Aligned Materials, and Online Assessments
- The President’s New “Blueprint for Reform” Proposes to Redesign the Bureau of Indian Education (BIE) Reflecting “It’s Evolution from a Direct Education Provider to an Expert Service and Support Provider,” Which Will Be a Difficult Reform to Implement;

However, the Proposed New Initiative Could Create Some Opportunities for Technology Firms Targeting the Indian Education Niche Market, Especially Related to E-Rate Funds

- USED Releases Audit Report on Problems/Challenges Confronting Seven States’ Progress Meeting Race to the Top Milestones, Which Could Provide Opportunities for Firms With Possible Solutions in Helping the Respective States
- FY 2015 Budget Update: Senate Action
- A number of miscellaneous items are also addressed including:
  - a) A recent Government Accountability Office report (May 28<sup>th</sup>) on the impact of sequestration on Title I reports that all three Title I district programs included in the study “reported that Title I reductions contributed to decisions to defer maintenance or technology upgrades.”
  - b) USED has announced priorities for the \$75 million GEAR UP grants competition; GEAR UP funds 87 programs serving 420,000 middle and high school students and is designed to improve college readiness and to ensure students graduate from high school and maximize their success in college.
  - c) According to Education Week’s Curriculum Matters blog (June 6<sup>th</sup>), currently less than half of K-12 students are scheduled to take assessments provided by PARCC and Smarter Balanced consortia; for the remaining 58 percent of students, states plan to use other tests or are undecided about what assessments will be used (this includes New York State’s 2.7 million students).
  - d) The National Conference of State Legislatures reports that as of May 15<sup>th</sup>, lawmakers in 46 states sessions this year introduced more than 340 bills addressing college and career-readiness education standards, including Common Core.
  - e) A policy brief by the Center on Reinventing Public Education has found that funding uncertainty/reductions have “undermined” personalized learning programs in charter schools.
  - f) Preliminary data from a survey produced for the Joan Ganz Cooney Center finds 513 of 494 teachers surveyed report using games in the classroom, and nearly half of teachers who use games rely heavily on word-of-mouth of other teachers in selecting games which they use.
  - g) Large after-school programs based on a “connected learning approach,” which combines in-school academics and out-of-school interests, will be initiated in Dallas, Columbus, Los Angeles, Pittsburgh, and Washington, D.C. this summer.
  - h) According to a new study by the Institute of Education Sciences, during the 2011 year, in all study schools implementing School Improvement Grant turnaround efforts, the needs of English language learners received “only moderate or limited attention.”
  - i) In order to scale-up extended learning time projects in a school district, the Wallace Foundation report, “Scaling Up, Staying True,” includes recommendations from Christopher Cross and Associates.
  - j) During the fourth White House Science Fair, President Obama announced several new STEM initiatives.

This TechMIS issue does not include any state profile updates, which will be included in the next issue and will focus primarily on funding and directly related policies and procedures. As

always, please contact Charles Blaschke directly if you have any questions (703-362-4689).

## **July 2014**

*July 31, 2014* – In addition to two Special Reports entitled: “Special Report: USED Proposes 15 General Priority Areas Which Should Earn Higher Points for Applicants if One or More Are Addressed in Future USED Education Grant Competitions. Subscribers with relevant products/services should be familiar with Details and Definitions in the Federal Register of June 24<sup>th</sup>,” and “Special Report: New Report Identifies Characteristics of States/Districts Which Receive Varying Levels of IDEA Per-Pupil Funding Allocations Currently Based on the Old 1997 IDEA Formula; Suggests Which Types of States/Districts to Target as About 50 Percent of Technology-Based Instruction and Evaluation Products for Special Education Programs Are Purchased With IDEA Funds,” the Washington Update includes:

- Highlights of the ISTE Conference June 28 -- July 1, which includes updates on Connect ED \$2 billion Technology Donations
- USED’s Long-Awaited “50-State Teacher Equity Strategy” Requires States to Submit New Plans (by April 2015) to Ensure Disadvantaged/Minority Students Have Access to “Great” Teachers
- USED Monitoring of 34 States (Thus Far) Identifies Problems and Challenges Which Could Affect State Waiver Renewals, if Not Corrected Which Could Create Opportunities
- The Early Head Start Expansion and Child Care Partnership Grant Could Provide Some New Opportunities for TechMIS Subscribers Which Have Parent/Family Literacy and Related Products
- Chances for a 2015 Education Appropriations Bill Being Enacted Before September 30<sup>th</sup> is Diminishing Which Will Result in a Continuing Resolution at Existing Funding Levels Through December or Most Likely After the Mid-Term Elections
- A number of miscellaneous items are also addressed including:
  - a) Study findings reported in the Educational Evaluation and Policy Analysis Journal found that direct instruction for first grade students is generally more effective than other strategies, but particularly with struggling students, and children with learning disabilities in math.
  - b) The Wallace Foundation is donating \$30 million to 14 school districts to improve effectiveness of principal’s supervisory roles to include coaching, mentoring, and training for new principals and others.
  - c) The National Association of State Budget Officers has released a “brief” which reports that 40 states will increase spending and dedicate new funding primarily for K-12 education largely by changing school finance formulas and increasing funds for early education and related measures.
  - d) The Speak Up 2013 national survey conducted by Project Tomorrow involving more than 50,000 school parent and community respondents include several key findings.
  - e) USED has approved waiver “extensions” for six states thus far, with more “extensions” expected in the next few weeks.
  - f) The \$360 million contract completion of Federal funding for the two Common Core assessment consortia is fast approaching; both consortia expect to stay in



business for many years to come, according to *Politico Morning Education*, if states purchase their services.

- g) A survey conducted by the Afterschool Alliance reports that 51 percent of families (13,709 parents) wanted their children in a summer school program this summer; up from 33 percent last year.

State profile updates include budgets, new funding initiatives, and directly related developments.

### **August 2014**

*August 28, 2014* – In addition to two Special Reports entitled: “Special Report: E-Rate Update: FCC July 11<sup>th</sup> Ruling on E-Rate Refunds and Districts Receiving E-Rate Funding ‘Commitments’ for Second Quarter (April-June) Which Can Be Used to Purchase Any Non-E-Rate Eligible Products and Services, Such as Instructional Materials and Professional Development,” and “Special Report: Likely Scenarios Under a Republican Senate on Important Issues Which Could Have Implications for Many TechMIS Subscribers,” the Washington Update includes:

- USED Estimates the Amount of the Unspent Funding in Race to the Top Funds, and Identifies States Which Have Received One-Year, No-Cost Waiver Extensions; Some Could Provide Opportunities for Subscribers
- USED Publishes Guidance on Responsibilities of States’, LEAs, and Department of HHS Shelters to Educate Children Who Recently Arrived in the United States, Particularly Those “Unaccompanied” Children Crossing the Mexican Border from Central America
- GOP Congressional Education Committee Leaders Request Government Accountability Office (GAO) to Investigate and Report on Secretary Duncan’s NCLB State Waiver Policy and Implementation, Which is Likely to Provide Rationale for ESEA Fix-It Amendments or Comprehensive ESEA Reauthorization
- On June 24<sup>th</sup>, USED Released the Results of its New Monitoring/Evaluation Efforts on Progress Being Made by States in Meeting the New IDEA Results-Driven Accountability Emphasis on “Outcomes” Rather than “Compliance”
- GOP Senate Leaders’ August 4<sup>th</sup> Letter to Secretary Duncan Attempts to Build Case Against USED Misuse of its Authority in the New IDEA Results-Driven Accountability (RDA) Initiative Which Could Support the Recent House Lawsuit Resolution Against the Obama Administration
- The Fordham Institute’s New August Report, “The Hidden Half: School Employees Who Don’t Teach” Finds that Almost Half of All the K-12 Employees Are Non-Teachers, Which Has Both Positive and Negative Implications for Some TechMIS Subscribers Who Sell Directly to K-12 Federally-Funded Market Niches
- New “Consumer Reports-Type” Group Announces Plans to Evaluate Comprehensive, Commonly-Used Materials’ Alignment With Common Core State Standards and Provide Reviews to K-12 Decision-Makers, Which Could Create Some Education Market “Paralysis”
- A number of miscellaneous items are also addressed including:



- a) A bipartisan bill to protect student privacy, introduced by Senators Ed Markey and Orrin Hatch, would require school districts to meet new rules protecting students' privacy or lose Federal funding.
- b) The most recent survey of Washington "insiders/influencers" conducted by White Board Advisors finds that 20 percent believe ESEA will never be reauthorized, while 75 percent said reauthorization will not occur until after December 2015.
- c) Education Week's annual survey on teacher perspectives on Common Core finds that between 2012 and 2013 teachers are receiving more professional development, but do not feel they are more prepared as a result of becoming more familiar with the standards and assessments over one year, or the quality of training was lacking or both.
- d) USED provides one-year "extensions" to NCLB waivers for Florida, Kentucky, Mississippi, North Carolina, and Wisconsin, but "approval" after that appears to be contingent on states making changes/corrections in certain areas for comprehensive waiver approval (updated August 25<sup>th</sup>).
- e) USED has announced a new \$250 million preschool development grant competition for states which will be administered jointly with the Department of Health and Human Services and could provide "partnering" opportunities for some subscribers.
- f) A New America Foundation survey of 800 registered bipartisan voters reports that "children getting a stronger start in life" ranks second only to "increasing jobs and economic growth" in terms of national priorities.

During the Congressional August recess, some policy changes have occurred, including the Secretary's announcement on August 22<sup>nd</sup> that any waiver state could request an extension related to the major "stumbling block" in most states, teacher and principal evaluations requirements (Principle 3), which is discussed in the miscellaneous update on waiver extensions. State profile updates will be included in the next TechMIS report.

## **September 2014**

*September 29, 2014* – In addition to a Special Report entitled: "New Proposed School Improvement Grant (SIG) Regulations Address Three New Allowed Interventions – Whole School Reform, State 'Homegrown,' and Pre-K Early Childhood – and Other Flexibilities Which Have Direct Implications for Some TechMIS Subscribers; Comments Are Due October 8<sup>th</sup>, With Whole School Reform Applications for Inclusion in USED Official 'List' for District Selection Due Shortly Thereafter," the Washington Update includes:

- Vice President Biden's Action Plan on "Job-Driven Training" for the Reauthorized WIA (Now WIOA) Will Continue to Influence Priorities in USED Secondary Programs/Funding
- Expected Reauthorization of the 1996 Childcare and Development Block Grant Act This Year Could Provide Some Specific Opportunities for Subscribers in the Pre-K-Early Childhood Education Space
- Head Start's Designation Renewal System (DRS) Cohort 2 Awards Have Been Announced

- New “Instructional Guide” is Available to Help Great Cities Districts Evaluate and Select CCSS-Aligned Materials for English Language Learners
- AAP K-12 Learning Group Provides Update on California End of Year Budget/Funding for New Education Initiatives Which Identify Opportunities for Some Subscribers
- Most Waiver States Continue to Receive Extensions While Some Might Not Request Extensions
- New Guidance on Building Successful Turnaround Partnership with Districts Could Assist Some Subscribers
- A number of miscellaneous items are also addressed including:
  - a) A new study finds student attendance in schools affects achievement on the National Assessment of Education Progress in 4<sup>th</sup> and 8<sup>th</sup> grade mathematics and reading tests.
  - b) During the Association of American Publishers (AAP) California webinar (see related item), Executive Director Jay Diskey announced that overall instructional materials expenditures between June 2013 and June 2014 had increased 17 percent based on sales figures from 5-7 firms, including all of the large ones, depending on grade levels served.
  - c) USED continues to approve no-cost one-year extensions to some states to reallocate unspent Race to the Top funds to continue or implement new initiatives which are highlighted for New York, Florida, Rhode Island, and Massachusetts.
  - d) The widely-read (in Washington) Political Pro (September 15<sup>th</sup>) questions whether Senator Lamar Alexander’s (as Chairman of the Senate Education Committee if Republicans take over the Senate in the upcoming election) plan for ESEA reauthorization will pass, but predicts that some “pieces” of his plan might be passed; some of Obama education policies will be removed or funding reduced.
  - e) The USED Office of Education Technology announced recently the *Future Ready District Pledge* initiative which will support superintendents who commit to taking a leadership role in expanding personalized digital learning for every student.
  - f) USED is providing about \$43 million to districts and states under the School Climate Transformation Initiative.
  - g) On September 22<sup>nd</sup>, USED announced new GEAR UP grantees which will receive \$82 million under the GEARUP program to prepare students beginning at the seventh grade for college enrollment access and completion.

The State Profile Updates focus primarily on funding and directly related initiatives/developments and include several links to sources or further information and USED’s publications, databases, etc.

### **October 2014**

*October 30, 2014* – In addition to three Special Reports entitled: “Comments on New Proposed School Improvement Grant Regulations by Major Education Groups Called for Greater Flexibility, Especially in Selecting ‘Greatest Need’ Schools and Interventions, but the Bottom

Line Question Remains How Many, Regardless of Merit, Will USED Incorporate into Final Regulations?”, “New Survey on Superintendents’ Perspectives on Common Core and Directly-Related Issues Suggest Some ‘Do’s and Don’ts’ for Sales/Marketing Approaches Targeting Superintendents for Purchasing Opportunities,” and “The Strengthening Education Through Research Act, if Passed by the Senate as Expected in November, Redefines Scientifically-Based Research (SBR) Standards and Provides Greater Flexibility, Which Can Be Good News for Many TechMIS Subscribers; However, it Leaves it Up to USED to Incorporate its Interpretations into Rules, Guidance, and Competitive Grant Preferences,” the Washington Update includes:

- New USED Civil Rights Guidance to Districts to Provide Minority and Disadvantaged Students Equal Access to Technology Resources Could Result in Legal Remedies Which Could Have Unintended Effects
- New Household Survey Finds that the Demand for Afterschool Program Greatly Exceeds Supply Which Could Pressure Schools to Increase More Offerings (e.g., STEM)
- ACT Issue Brief Identifies Ways Cheating Can Occur With Online Testing, Reviews Existing State Policies, and Provides Recommendations Which Could Provide Some Opportunities in States that Are Unprepared
- Head Start Preschool Curriculum Consumer Report Identifies 14 Different Curriculum Offerings That Meet Some of the 13 Criteria Important To Head Start Programs in Selecting Curriculum
- USED Announces Winners of Teacher Prep Grants Which This Year Focused on its High Priorities of STEM and Common Standards, With 15 of the 24 Grantees Having Been Funded in the 2009-10 Competitions
- USED Has Awarded \$20 Million for 12 New Awards Under the Turnaround School Leaders Program to Support Projects to Develop, Enhance, and Implement a Leadership Pipeline that Select, Prepare, Place, Support, and Retain School Leaders
- USED Approves Waiver Extensions for Six More States, Raising the Total Number Thus Far to 29
- “Takeaways” from Recent Education Networking (EdNET) Conference
- Ranking House Education Committee Democrat, Representative George Miller, Has Called for a “Smart Pause” in Tying Student Scores on Common Core State Standards (CCSS) Assessments to Teacher Evaluations -- Which Takes Much of the “Wind Out of the Sails” of Secretary Duncan’s “Teacher Evaluation” Priority

## **November 2014**

*December 4, 2014* – In addition to three Special Reports entitled: “New USED Waiver Renewal Guidance Mostly “Nudges” States to Continue Making Progress in Implementing Their Existing Plan, and ‘Attempts’ to Close Some Loopholes, But Does Not Have Much ‘Teeth’ in Holding Low-Performing Schools, Districts, and SEAs Accountable for Increasing Student Performance,” “The Center on Education Policy Releases Two Reports on Common Core District-Level Implementation in the Areas of Curriculum/Professional Development and Implementation of Consortia-Developed Assessments; Some Findings Have Major Implications for Most TechMIS Subscribers,” “FCC Chairman Wheeler Proposes to Increase the E-Rate Funding Cap by \$1.5 Billion to a Total \$3.9 Billion; Districts Receiving E-Rate Funding Commitments for the Third Quarter (July-September) Announced with Many Receiving ‘Refunds,’” a Policy Alert entitled “Perceived Impact of Mid-term Elections on Education Policy Vary, Although Some

Implications for TechMIS Subscribers Appear to Be Likely,” the Washington Update includes:

- A New Survey by the Institute of Education Sciences Reports the Number of SIG Improvement Practices Used by Schools Which USED Promoted and Encouraged to Implement the Transformation or Turnaround Models; but the Survey Did not Include Questions on Certain Practices (e.g., RTI approaches) of Interest to Some TechMIS Subscribers
- The “Future Ready Schools Initiative,” Which Builds Upon Obama’s ConnectED, Could Offer Specific Opportunities for TechMIS Subscribers
- The Education Commission of the States (ECS) New Report on “Blueprint for College Readiness” Identified States With College Remedial Programs/Strategies
- USED Issues New Guidance to States for Developing Plans by June 2015 to Ensure Minority and Low-Income Students Have Equitable Access to “Quality” Teachers, Which Could Create Technology Support Opportunities
- The Center on Budget and Policy Priorities Most Recent Survey Found that Although Most States Are Providing More Funding in the New School Year Than They Did a Year Ago, “Funding Has Generally Not Increased Enough to Make Up for Cuts in Past Years”
- What Might GOP Control of Both Congressional Chambers Mean for Early Education Policy?
- USED Announces Additional States Receiving Waiver Short-Term Approvals or One-Year Extensions: 7 States Likely to Receive Early Long-Term Approvals Are Under Quick Special Process
- A number of miscellaneous items are also addressed including:
  - a) Apple Computer has modified its \$100 million “donation” under the Administration’s ConnectED Initiative to now include free iPads to 100 schools in 29 states with 95 percent or more students eligible for Title I; more partners could be sought.
  - b) The Florida Department of Education is offering financial incentives to assist low-performing districts to work with charter school franchises “with a solid track record for serving low-income school children,” and adopt effective practices, according to Education Week (October 15<sup>th</sup>).
  - c) A Rand Corporation study has found that in charter schools which use personalized learning approaches, students’ math and reading achievement had increased significantly more than similar schools using more traditional education techniques.
  - d) The new nationwide eleventh edition of Evergreen Education Group on digital learning progress has found that despite seemingly universality of digital education in the nation’s schools, student access varies enormously, as reported in Education Week’s Marketplace K-12 blog (November 4<sup>th</sup>).
  - e) USED has identified 26 Investing in Innovation (i<sup>3</sup>) applicants which will receive grants totaling \$130 million if applicants secure private matching funds by December 10<sup>th</sup>.
  - f) The Smarter Balanced assessment consortium has projected the number of students which will score at Level 3 or higher on its Common Core state assessment to be given in 22 states in the spring with other students needing remediation/support.

- g) Education Week's *Politics K-12* blog (November 21<sup>st</sup>) reports that Secretary Duncan is urging National Assessment of Education Progress (NAEP) officials to “lead the way in thinking about the next generation of assessments, saying they have a unique role as ‘truth tellers’ as states seek better ways to gauge what students know.”

**December 19, 2014** – An FY 2015 Budget Alert entitled “First Preliminary Look and Important Implications for TechMIS Subscribers” was sent to subscribers.