

President Bush's Proposed Education Policies: Analysis of Several Key Pillars and Implications for Technology Vendors

A Technology Monitoring and Information Service (TechMIS)
SPECIAL REPORT

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Three days after taking office, President Bush unveiled his "Transforming The Federal Role In Education So That No Child Is Left Behind," a policy statement which should be of concern to technology vendors. In many respects, the proposals accelerate certain policies currently in place, while in other ways it reflects significant departures. Both have direct implications for many TechMIS subscribers depending on how some of the policy's subtleties are interpreted and whether implementation of the key "pillars" of the Bush plan can minimize unintended consequences.

Policy Direction

Most of the proposed policies to reform Federal education programs would accelerate trends already occurring -- such as "performance/choice" options already included in Title I and the Reading Excellence Act. Indeed, the Bush policies are very similar in most respects to the Public Education Reinvestment, Reinvention, and Responsibility Act (3Rs) sponsored by Senator Joseph Lieberman and the coalition of moderate New Democrats. The Lieberman 3Rs proposal would consolidate some grant programs, but would maintain the integrity of most funding streams while allowing limited transfer of funds among programs. The Bush plan would provide states with greater funding flexibility on how to use his proposed block grants, which would

include E-Rate, Title III, and related programs. The Bush plan would expand testing requirements beyond the 3Rs and would expand choice beyond only public schools (no vouchers would be allowed for private schools under the 3R plan.) As proposed, the Bush plan is more specific in terms of rewards and sanctions, particularly for Title I accountability.

In addition to accelerating current policies with some tweaking, the Bush plan also calls for significant departures. The largest would be the creation of mechanisms in the White House and in five agencies to promote and provide funding for faith-based organizations to solve many problems now addressed by public schools. For example, the popular and growing 21st Century Community Learning Center program would be consolidated with Title VI/Drug-Free and Safe Communities Act and would allow community-based organizations and faith groups to apply directly for grants. Knowledgeable observers feel that the proposed plans would raise church/state issues and quickly wind up in the Supreme Court. A major impact of this proposal would be at the Head Start and early childhood level, which could also result in for-profit child care providers having to compete with faith-based organizations which rely primarily on volunteers. Several proposed provisions would also minimize teachers' liabilities in student disciplinary activities, strengthen gun enforcement in schools, and otherwise facilitate in-school crime prevention and prosecution. Other departures relate to the tax code. For example, teachers could deduct from their taxes up to \$400 of their expenditures for out-of-pocket classroom expenses. "Public/private partnerships" could be used for school construction through tax-exempt bonds which currently cannot be used to construct schools. Implications in these areas are less significant for subscribers than those related to the pillars of the Bush proposal, which are analyzed below.

Testing and Accountability

Throughout its 28-page summary, the Bush plan addresses assessment and accountability as follows: "The Federal Government currently does not do enough to reward success and sanction failure in our education system." All students in grades 3-8 would be tested annually in basic skills using a test selected by the state and a sample of students in each state would be assessed annually with the NAEP in reading and math at grades 4 and 8. Schools that fail to make

“adequate yearly progress” with disadvantaged students, would first receive funding and technical assistance and then after three years, come under “corrective action” to make progress, after which time disadvantaged students may transfer to another public school or other education provider of choice (which included -- in the campaign rhetoric -- private school vouchers). Under the current accountability system in Title I, USED has to approve proposed assessment systems by state and state participation in NAEP assessments is voluntary. Under Bush, Federal funds would be provided to states to develop their assessments where necessary (only six states currently meet the proposed Bush assessment design), and to cover the costs for all states’ participation in NAEP. These two proposals could cost more than \$1 billion over three years.

Many policymakers and influencers have commented publicly that administration of NAEP is designed to “confirm the results” and ensure that states do not select low-level assessment instruments or define “adequate yearly progress” at a low rate, which some do. The unintended consequence and major problem is that most state developed assessments (with two or three exceptions), and/or national-norm referenced tests selected as state assessments have no correlation with the assessment domains and coverage on the NAEP. In fact, a January 19, 2001, press release from USED is entitled “National Assessment of Title I Shows Students Progress on State Assessments: Little Progress on NAEP”. The report’s authors conclude “that the seemingly conflicting findings appear to be perplexing”. The obvious answer, recently stated by senior ETS analysts of NAEP scores at the CEO Forum, is that NAEP tests are not designed to assess skills developed by computer-using students (TechMIS May 2000).

In a real sense, the Bush plan establishes two assessment/accountability systems for which few education publishers can design content; students and teachers do not have enough time during the school year to ensure that student performance increases on the two different assessments. Only in North Carolina and Connecticut are there high correlations between the two assessments. One scenario would call for the Bush Administration to decide which assessment is the “real” one for accountability purposes. On one hand, the policy could be to use state assessments which are aligned with state-developed standards to ensure that high expectations are met. If so, it would be similar to current policy. On the other hand, if the Bush Administration opts for NAEP scores as the basis of accountability, then it could be accused by the far-right of driving a

national curriculum through the forced use of NAEP. The implications for technology-based content providers are clear: either develop for one of the two types of assessments -- either state assessments/national norm-referenced tests, or NAEP; or develop hybrid supplemental content and skills materials with embedded mastery items covering contents and skills on both norm-referenced tests and NAEP.

Education Technology

The Bush proposal states, “The Administration believes schools should use technology as a tool to improve academic achievement and that using the latest technology in the classroom should not be an end unto itself.” This policy represents a major departure from the Clinton/Gore Administration policy which at least initially -- through the E-rate and even Title III/Technology Literacy Initiative -- suggested that providing every student with access to the Internet and related technology was an end in itself. Only when Congress called upon USED to demonstrate clearly that the country was getting an “education improvement bang for the buck” it was providing to schools for using technology, did improving student performance become an important goal of USED. By narrowing the use of technology to improving academic performance, the question of what types of assessments – NAEP, state-developed, norm-referenced tests, or others -- are to be used, becomes even more important. Whether “technology literacy,” which is beginning to be included in some state assessments and in more states’ standards, is perceived as an “academic” activity or required subject is not uniformly accepted.

The most potentially devastating redirection of policy called for in the Bush plan, however, would be to include the E-rate, along with six other technology-related programs within USED, as part of a consolidated technology grant to schools, distributed on a formula basis to allow districts greater flexibility in deciding what types of products and services it would purchase; or, if the district wanted, such funds could be reallocated for nontechnology-related activities which the district felt would do more to improve academic performance than the use of technology-based solutions. By including E-rate funding within the USED budget, it would then become part of the “appropriation process” which would create more uncertainty and funding instability

than districts had relied upon under the existing E-rate program, whose discounts come out of the Universal Service Fund which is not subject to the appropriation process.

In addition to problems related to instability of funding, the large amount of E-rate refunds generated through the BEAR process, which can be used to purchase software, hardware, and staff development, would be eliminated. Hence, the estimated \$1.5 billion of leverage refunds through the BEAR process in Year 3 would not have become available under the proposed Bush plan. In addition, inclusion of E-rate funding under a Title VI consolidated grant would likely raise some church-state questions regarding nonpublic school participation, as is now allowed under the current E-rate. The Supreme Court recently allowed Title VI funds to be used by public schools to purchase hardware under Title VI which could be used by nonpublic schools as about \$12 million was at stake in that case. But if it were increased to \$200 million and provided directly to the private schools, which is likely under a block grant E-rate, then church/state issues are much more likely to be raised forcing the U.S. Supreme Court to render perhaps a different opinion.

And last, by providing block grants in those 26 states which “reappropriate” Federal funds, it is likely that state funds previously provided for technology support will be reduced in following years. Over time Federal funds would also likely be reduced. This has been the experience of the largest block grant program, Title VI, passed in 1982, funding for which has dropped from over \$500 million at that time to \$380 million this year, due to the lack of constituency support.

Other aspects of the technology component of the Bush plan include encouraging states to set performance goals and to measure how Federal technology funds are being used to improve student achievement, providing Community Technology Center (CTC) grants on a matching basis, and removing the CTC program from USED and establishing it in HUD. As noted in the last TechMIS mailing, the vast majority of CTC funds are currently used to provide technology-based education, especially basic and computer literacy skills. The Bush proposal also calls for the use of Federal funds to purchase products and services which are a “proven means for enhancing education through advanced technology.” The mention of “proven practices” throughout the plan would have a delimiting effect on the range of advanced technology,

especially that which is very new with content that changes (e.g., current events provided online), which could be purchased using Federal funds.

Freedom and Accountability

The last major pillar of the Bush plan is the creation of a system for holding states and school districts accountable for improving student achievement. States would submit plans that address specific accountability requirements. Schools which make significant progress will receive rewards; and states which do not would, after a time period, no longer receive state administrative set-aside funding for Title I and other Federal programs from USED. Again “sanctions and rewards would be based upon state assessment results as confirmed by the results of an annual sample of students in each state on the NAEP fourth and eighth grade assessment in math and reading.” Under this policy, a state or school district would enter into a five-year performance-based Charter agreement establishing specific goals for increased student performance. The state or district would lose charter status if student achievement or other performance indicators do not improve as agreed to in the “performance contract.” In other situations, states would: (a) submit a consolidated plan for all ESEA funds which would include assurances that the Bush assessment program will be implemented, including a system of sanctions and rewards to hold districts accountable; (b) publish school-by-school report cards for parents, available on the Internet, with basic skill scores desegregated by ethnicity, gender, poverty, and English proficiencies; and (c) agree to participate in the NAEP grades 4 and 8 assessments. In many respects, this pillar is similar to the Lieberman 3Rs proposal. While it provides greater flexibility in use of funds, it is not clear how much more accountability “teeth” will actually be included beyond those in current Title I accountability and assessment provisions. As with other aspects of the Bush proposal, the “devil” here is in the details.

Context

The political context within which the Bush proposal is being made suggests that it could be influenced -- in some cases greatly -- by political currents which continue to “ebb and flow” in certain quarters. Limiting the use of technology to improving academic achievement flies in the

face of reputable polls of parents and citizens immediately prior to the election; these polls found that parents support the use of technology by their children (and even Federal funding to support that use), primarily to help their children prepare for jobs by developing technology skills. Only about half felt technology could be useful in improving academic performance (see TechMIS October 2000). In late January, the Business Roundtable, the National Alliance for Business, and National Association of Manufacturers called for expanded professional development for teachers and suggested that they be accountable for helping students develop skills that would make the U.S. competitive in the world economy. Following a meeting of high tech firms with President Bush during a recent “photo opportunity,” the Labor Secretary nominee, Elaine Chao, stated that her highest priority would be job training to ensure individuals have the necessary technical skills to fill thousands of unfilled high tech jobs.

In a letter dated January 22 (the date the President’s policy proposals were released), American Education Research Association asked policy makers to reconsider their support for “high stakes testing,” increase support for remediation for those students who fail tests, and seriously reconsider current and proposed high stakes testing for special education and limited-English-proficient students. On January 24, the front page of Education Week led with “States Adjust High Stakes Testing Plan,” based upon its state survey used to prepare Quality Counts (which is summarized in most of the state profile updates in this TechMIS mailing). With a significantly increased number of states postponing effective dates of exit tests and other high stakes tests at various levels, and with fewer than eight states currently testing in grades 3-8 in reading and mathematics, it is not clear how many states will participate if the Bush Accountability and Freedom component is enacted. In order to increase participation of states and districts, two general options exist: (a) to increase the number of loopholes to reduce the impact of proposed accountability provisions; or (b) to increase financial and other incentives for performance. The latter will not be known until the Bush budget is submitted to Congress which is likely to be the end of February or early March.