

## Alabama Update – November 2001

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Some Alabama districts will likely have to repay several million dollars of Title I funds due to a USED audit determination that these funds were used for nonallowable activities, such as administrative salaries and construction/renovation. One of the districts, Wilcox County, may have to repay as much as \$1.5 million. However, a determination may be made that would allow a “grant back” to the State specifically for Wilcox County to provide allowable services to Title I students.

## Arizona Update – November 2001

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Arizona School Services through Educational Technology (ASSET) has awarded a two-year contract to Classroom Connect to provide an online professional development portal that is being customized for Arizona. The website will use the Classroom Connect “Connective University learning environment” with selected course content to improve the technology skills of as many as 40,000 educators. Individual districts can also include their own professional development course content in a further customization process. The roll-out is planned during the Spring of 2002.

## Arkansas Update - November 2001

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Working with Data Resource Corporation, staff within the Arkansas State Office of Special Education have developed an alternative assessment for the approximately 15 percent of Arkansas' students who require an alternative to the State's regular assessment instrument. This alternative instrument is portfolio-based and includes observation, recollection, record review, and some testing. Scoring rubrics have been developed to evaluate portfolio information. Approximately 60 special education teachers have been trained in scoring of the portfolios. During the first implementation of this alternative assessment, almost 1,000 portfolios from students in grades 4, 6, 8, and 11 were assessed. For additional information, contact Tom Hicks, 501/682-4296.

Arkansas was one of the first states to develop a web-based IEP monitoring and reporting system which is available to all districts in the State. Arkansas was also the first state to allocate special education, Title I, and other Federal funds to districts in such a way that they could easily "commingle" such funds, which has been allowed under IDEA since 1997 in Title I schoolwide programs.

## California Update - November 2001

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The California legislature has appropriated \$200 million to provide remedial programs and services to students enrolled in the State's lowest achieving schools. This would amount to an additional \$200 per student to be added to the \$200 per student allocated last school year. In addition, districts are required to provide a local matching of \$200. Hence, the total amount of additional funds available in these low-achieving schools would be \$600 per pupil. In other states (e.g., Michigan), with similar statewide compensatory education programs, between 8 and 10 percent of such funds are typically used to purchase technology products or services or specialized tutoring. The California legislature also extended -- from two years to three years -- the amount of time failing schools would have to turn themselves around before the State takes them over.

Shortly before the October 15 deadline for approval, Governor Davis approved increased funding for low-performing schools. However, a bill that would have provided \$250 million a year over three years to help districts purchase updated, standards-based curriculum aligned with state standards was not signed. Part of the reason given for not approving the quarter billion dollar bill was the \$1.1 billion State deficit over the last several months and increased funding needed to help schools offset rising energy costs. Eighty million dollars will be allocated each year over the next three years for professional development in language arts and math, and standards-related training; and \$15 million will be allocated to provide five additional days of training for principals and vice-principals. The Governor also signed a bill to place a \$24 billion bond issue for K-12 instruction on a referendum for voters.

According to an article in the Los Angeles Times, some teachers -- particularly recently hired teachers in L.A. schools in which student performance increased significantly -- have not been provided the amount of reward called for under the State incentive awards program which attempts to reduce the number of low-performing schools in the State. The article attributes the reduced bonus checks for principals and teachers in the 20 qualifying L.A. schools making greatest improvement to the inability of the district and the local teachers' union to work out an agreement. As a result, the Law calls for awards to be distributed according to teacher-based salaries, which are

based on longevity among other factors. The total amount of bonus incentives for L.A. was approximately \$6 million. The existence of such a fallback provision in the California law reduces the motivation of successful teachers whose bonuses will be greatly reduced, while some of their bonuses will be provided to teachers whose schools' performance may have actually dropped. States and LEAs with similar bonus plans for teachers, principals, and schools, include North Carolina, Florida, Iowa, Cincinnati, and Denver.

Following a new law enacted in Texas earlier this year, Governor Davis has signed legislation that will allow undocumented students who graduate from California high schools, but who do not have legal residency, to enroll in state colleges paying California-resident tuition rates. Out-of-state students pay tuition of approximately \$9,000 compared to \$2,000 a year for residents. Such undocumented students must file an affidavit that they have applied for lawful immigration status. Unlike Texas, such students cannot seek state financial aid in California.

Education Testing Service has been awarded a \$50 million contract to administer California's new high school exit exams in math and English. ETS' primary role will be developing and scoring the test, while NCS/Pearson, a subcontractor, will be responsible for test administration.

The State Board of Education recently decided to disallow the use of technology devices and aids (such as calculators, spell checkers, etc.) for certain students with disabilities taking the State exit exam. Beginning with the class of 2004, students must pass the exam to graduate with a high school diploma. In May, the Disability Rights Advocates of Oakland, California sued the State Department of Education in Federal Court on behalf of parents of disabled students, who argued that the regular State exit exam would deny them the right to graduate with a regular high school diploma. Last Spring, over 90% of students with disabilities who took the exit exam for the first time and were provided reasonable accommodations failed the math portion, compared to 52% of nondisabled students. The Disability Rights Advocates were instrumental in bringing a lawsuit against the Oregon SEA on behalf of parents of students with reading disabilities, arguing that dyslexic students taking Advanced Placement Courses online should have the right to use computers to take the writing exam, which 90% of students initially failed. On February 1 of this year, Oregon settled out

of court which has resulted in implementation of a State online assessment system which cost slightly over \$3 million to develop and pilot test. The recent California State Board of Education decision is clearly in violation of IDEA and Sections 504 and 508 of the Rehabilitation Act and Americans With Disabilities Act.

## Colorado Update - November 2001

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In September, the Colorado Department of Education released Report Cards on 1,400 public schools based upon their student assessment scores. Schools are rated on a five-point scale from excellent to unsatisfactory. Almost 20 elementary schools, seven middle schools, and five high schools were rated as “unsatisfactory.” These schools have three years to improve. Teachers in these schools could receive pay incentives if improvement occurs. Schools with excellent ratings will receive awards up to \$15,000.

In July, Colorado received EdFlex authority after it revised its statewide assessment and accountability system for approval by USED. As with many EdFlex states, Colorado is likely to reduce the requirement that, to qualify for designation as a schoolwide program, at least 50 percent of students must be from low-income families.

## Florida Update - November 2001

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Florida has developed and is pilot testing a new system for assessing district performance with special education students. It includes focused monitoring, continuous self-assessments and random monitoring by the district and the State. The SEA has created a profile for each district based upon 1999-2000 data that includes descriptions of educational benefits and other performance measures. The data points include performance on statewide assessments, standard diploma rates, retention and drop-out rates, regular and separate class placements, and student membership by different ethnicities. Districts review the data points and select indicators they feel are most appropriate for indicating program improvement generally and for students with disabilities and students who are gifted. Districts began conducting a profile analysis this school year and next year will be required to develop action plans for program improvement. A contact is Cathy Bishop, 850/488-1216.

Governor Jeb Bush called a two-week special session of the legislature which began on October 22 to address the \$1.3 billion estimated shortfall. One of the issues being addressed is \$10 million earmarked for technology-related products for which an RFP had been issued but was temporarily suspended. The special legislative session found ways to cut \$800 million to make up partially for the \$1.3 billion anticipated shortfall this year; \$120 million of the cuts will affect K-12 schools directly. It is likely that another session will have to be called later this year.



## Hawaii Update – November 2001

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A Federal district judge has given the State Department of Education a deadline to improve the quality of its special education services after which time, if such improvement does not occur, the judge will likely appoint a “master” and a Federal agency to operate special education programs in the State. The so-called Felix consent decree in 1994 mandated that the State Department of Education take action to facilitate improvement. Although the State Superintendent and other State officials have sought to make such improvements, they have been met with opposition from the Governor and the State legislature. As a result of a 14-day teacher strike earlier this Spring, funds which would have been allocated to salaries, have been used to fund mandated activities in special education. In October, the State Superintendent of Instruction resigned due partly to the Felix decree situation.

## Illinois Update – November 2001

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As reported in Education Week, (September 5), State Superintendent Max McGee announced that he will not request extension of his current contract with the State which runs out December 31. The article reports that part of the reason why he is retiring, with the consent of most of the Board members, is that student achievement has not increased as much as anticipated.

The Illinois State Board of Education has renewed its contract with bigchalk.com (The Education Network) to allow almost two million K-12 public school students to access the e-library classics (an online research project) and other bigchalk products. Illinois established a precedent several years ago by providing online subscription service contracts to several vendors in addition to bigchalk. Other products and services from bigchalk which can be accessed under the renewed agreement include *ExplorAsource* which helps students, educators and parents to find resources ranging from books to software to videotapes, and *Assessment/Test Booster*, which provides tips to help improve student performance on state assessments and online practice tests.

## Kansas Update – November 2001

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K-12 funding in Kansas will increase \$67 million the coming fiscal year to a total of \$2.4 billion which will increase per-pupil allocations by \$50. Preschool and elementary school at-risk student funding will increase by \$7.5 million and State special education funding will increase by \$8 million.

The Kansas Academy for Leadership in Technology has been established using a three-year, \$1.5 million grant from the Gates Foundation. Two primary foci of the academies are understanding how technology can improve student performance and how best practices can be implemented as part of school improvement. Monthly regional meetings will be held in which participants will work with a mentor to learn more about technology leadership and data driven decision-making.

Five schools within the Kansas City (Kansas) School District are the first in the State found to be academically deficient by the State Board of Education. The schools were notified in September that student performance on the State assessment was inadequate. The schools have two years to improve enough to be taken off the list; if not, schools could be taken over by the State.

## Kentucky Update – November 2001

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A recent report by the University of Kentucky indicates that, while most students in the State have computers at home, most acquire key computing skills during school hours. Moreover, the more-than-\$600 million invested in education technology over the last five years has resulted in a reduced “digital divide.” The report found that two-thirds of students who use spreadsheets say that they learned to do so while in school, as did 60 percent of those who could format documents with a word processor. However, two-thirds of students said they learned to use the Internet at home and a larger percent learned to use e-mail at home. Students from rural areas with lower GPAs and whose parents had less than a college education were likely to have acquired virtually all of their computer skills while at home. Approximately 90 percent of students have access to a personal computer at home, according to an Associated Press article.

## Louisiana Update – November 2001

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Following a ruling by a Federal court, Louisiana will be allowed to continue to use high stakes tests to determine whether an individual student should be promoted. Currently the Louisiana Education Assessment Program, created in 1997, is the sole determinant of whether fourth and eighth grade students advance. The LEAP was first administered in March 2000 and results indicate that 83 percent of fourth grade students passed the English portion and 76 percent passed the math component. At the eighth grade level, 82 percent passed English and 68 percent passed math. As reported in Education Daily (September 19), Louisiana State Superintendent Cecil Pickard stated, “The ruling has made it clear that students do not have a constitutional right to be promoted. If the ruling had gone the other way, it would have sent shockwaves in states contemplating what we were doing.”

## Maine Update – November 2001

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Beginning in 1999, a State law required all telecommunication carriers to charge a monthly surcharge amounting to half of one percent, funds from which could be used to link libraries and schools to the University of Maine computer system. Similar to the Federal E-Rate program, the schools and libraries fund, along with requested Federal funding, could cover 60 percent of Internet connection costs in Maine's schools and libraries.

Governor King's office has announced the award of a contract to Media Networks which will provide distance learning across the State, connecting more than 170 schools, libraries, and technology centers. Funding for this expanded infrastructure comes from a \$15 million bond issue approved by voters over six years ago. The distance learning network provides two-way interactive, full-motion video and audio.

On October 22, proposals were due for a large \$30 million plus multiple-year, "laptop for all students" project.

## Massachusetts Update – November 2001

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The Massachusetts Department of Education recently selected Princeton Review to provide online test prep, tutorial programs in English and math that relate to the Massachusetts Comprehensive Assessment System. All 11<sup>th</sup> grade students across the State will be able to access Princeton Review's Homeroom.com for a seven-week MCAS preparation period beginning in October and ending on December 10. Reports on usage and diagnostic data will be provided by Princeton Review to the high schools which the students taking the test prep courses attend, and to the Massachusetts Department of Education.

New State assessment results released by the Massachusetts Department of Education show that slightly over 80 percent of all tenth grade students passed the English/language arts exam, up from two-thirds last year. Seventy-five percent passed the tenth grade math exam compared with 54 percent last year. In 2003, the passage of these exams will be a prerequisite to graduating with a high school diploma. Students who fail one or more of the exams at the tenth grade level have four more chances to take the exam in order to achieve a passing score. The increase in students successfully passing the exam could be attributed to almost \$90 million allocated over four years to provide interventions for students who fail the exam.

As reported in Education Week (October 24), State and national teachers associations have faulted the State's accountability system for determining graduation with a high school diploma based upon a single assessment. Last year, the Massachusetts Department of Education stated that it would allow students to use computers to take the essay portion of the State writing exam. Groups that have conducted studies comparing students who were allowed to take the exam using computers and those that were not so allowed, showed up to 10 percent higher scores for students who were allowed to use computers. If the State does not allow the writing exam to be taken by using computers for all students, it will likely allow their use with students with certain disabilities to serve as accommodations. The Disabilities Rights Advocates Group which was successful in forcing the State of Oregon to allow all students to take the state writing assessment via the web, would likely bring a similar class action lawsuit against the Massachusetts SEA.

On the 10<sup>th</sup> grade English language arts exam, 60 percent of black students and 52 percent of Hispanics passed the exam, which is up from 40 and 34 percent, respectively, last year. However, this is much lower than the performance of Asian and white students -- 80 and 88 percent respectively. Last year about 25 percent of LEP and special education students passed the tenth grade English exam. However, the passing rate rose to 47 percent of student disabilities and 38 percent of English learners this year. Students who did not pass the exit exam will have another chance to pass it in December.

Approximately 7,000 students with disabilities took the Massachusetts Comprehensive Assessment System English and math exams last Spring. Forty percent were provided special accommodations as required by IDEA. Approximately 10 percent or 700 tenth grade students with severe disabilities were provided an alternative assessment as required by IDEA. The alternative assessments consist of portfolios which teachers score following State standards. Only one of 700 students passed the alternative state assessment. Parents of the 699 students who failed the assessment have the right to demand that the district continue to provide education services to their child until age 22 as passage of the State exam is a prerequisite for graduating with a regular high school diploma.



## Nebraska Update – November 2001

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Officials project a \$220 million revenue shortfall in the biennium through June 2003. The Governor has recommended a large cut of approximately \$170 million in this mid-year budget and \$48 million in January. The Governor's plan would not reduce K-12 State education aid, but would cut almost \$40 million from the University of Nebraska this year.

## New Hampshire Update – November 2001

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The State PT<sup>3</sup> Catalyst Grant program is in its second year and is directed by the New Hampshire Department of Education. During the first year, focus was upon effective classroom practices. For additional information go to [www.nheon.org/pt3](http://www.nheon.org/pt3). Under the TLCF program, one of the recently-funded projects will provide an online technology tool for teacher self-assessments which will aid in updating technology and professional development plans. The State professional development initiatives are underway, particularly *MarcoPolo* and *ThinkQuest*, which are available through the State's web portal. The contact is Cathy Higgins, Educational Technology Consultant, 603/271-2453.

According to the Associated Press, nearly all third, sixth, and tenth grade students took the Education Improvement and Assessment test last May. According to State officials, the districts in which students showed the greatest increases were those that use test results to align their curriculum with the assessments. Sixth graders gained the most in science. The number of students who achieved the "basic" or "higher" proficiency levels in subject areas was slightly down in English, slightly up in math, down in science, and up in social studies.

## New York Update – November 2001

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Governor Pataki signed a supplemental budget bill that added \$200 million in school aid to the \$380 million increase that was passed in August. If New York State does not receive the \$50 billion plus request for “recovery” under emergency funding, future cuts may be required in K-12.

The New York City Board of Education is contracting with four firms to help approximately 12,000 unlicensed teachers prepare for the mandatory State licensing exam. After September 1, 2003, teachers who only have a temporary teacher license will not be allowed to teach. Teachers will be reimbursed for up to \$2,000 to receive services from Kaplan Inc.; Princeton Review, Inc.; Center for Professional Performance Enhancement, LLP; and the Center for Integrated Education, Inc.

## North Carolina Update – November 2001

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The Governor has finally signed the biennium budget of \$11.8 billion for K-12 education over the next two years. Although the State has a billion dollar deficit, support for education was significant enough to get the Governor and legislature to agree upon tax increases. Discussions have been underway to reduce the incentive grants provided to schools and teachers as part of the State accountability system which amounts to over \$90 million. Next year, \$12 million will be provided to reduce class size in kindergarten to 19 students per teacher.

Signed almost three months after the FY 2001-02 began, the K-12 budget will receive a 1.5 percent increase in overall funding. However, after passage the Governor has instructed the heads of all State agencies to implement a four percent budget cut. The State school improvement initiative is not likely to be cut. Almost \$10 million has been allocated to reduce class size in low-performing schools, with an additional \$2 million to be provided to these schools to hire reading specialists. An equal amount is being provided in the form of bonuses for special education teachers who agree to work in low-performing schools. Approximately \$6.5 million is being allocated to initiate an at-risk four-year-old program which is expected to target between 1,000 and 2,000 children. In order to meet the expected deficit, the Governor has called for an increase in State sales taxes and income taxes for wealthy citizens.

## Oklahoma Update – November 2001

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Local boards of education are required to develop guidelines following State Board of Education policies for Internet-based instruction before they can offer such courses. A new law allows schools to count students in attendance if they are enrolled in online courses. Within the last three years, 300 secondary schools have received grants to develop web-based instructional tools and content under the VISION Project. Another round of grants coming from Southwest Bell and other financial supporters is expected in 2002. The contact is J. P. Applegate, 405/521-3994.

State Superintendent Sandy Garrett has proposed to the State Board that high school students take four years of mathematics. Currently, Oklahoma high schoolers have to study math for three years, with English being the only course taken each year. Schools would not have to use a specific curriculum. Incentives have also been proposed to encourage teachers certified in other subjects to be retrained to teach math.

## Pennsylvania Update – November 2001

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The Bureau of Special Education within the State Department of Education, in conjunction with the Pennsylvania Training and Technical Assistance Network (PATTAN), has developed a service which provides effective behavioral supports to school districts, buildings, classrooms, and students. Implementation will primarily be the responsibility of the 29 Intermediate Education Units who will provide training and consultant time to work with districts in implementing the model. One of the major foci of the system is to help districts evaluate present practices and strategies and design strategies based upon research-based effective practices that have been identified by the support system. The system will be replicated statewide by the intermediate units with support from PATTAN this year.

A recent article in the Philadelphia Inquirer indicated that Governor Schweiker has sent to the Philadelphia mayor a proposal costing an extra \$150 million a year, which would be one of the largest “privatization initiatives” in the country; approximately 60 low-performing schools would be run independently by a community partner and a qualified education management organization. In August, \$2 million was provided to Edison to come up with a plan for overall school improvement, especially in low-performing schools, and to develop the Governor’s proposal. While high-performing schools would not be “touched,” about 170 schools in the middle would be provided alternative remedies, additional funding, training, and one of three standardized nationally-recognized programs in reading, math and science. The article notes that approximately 75 math and 100 different reading programs are used throughout the district. Based on the article, there could be some opportunities for vendors who would meet the not-yet-defined criterion of “standardized nationally-recognized programs.” One program that is on the Comprehensive School Demonstration Program “list” is *Success for All*, which also is used as part of the Edison curriculum.

A report prepared by KPMG Consulting, Inc., requested by the State Board of Education, has recommended that CyberSchools be held accountable to a greater extent in demonstrating student achievement in the charter schools they operate; the three largest online charter schools tend to provide their services at lower cost than smaller ones. Estimated costs for Cyber charter schools

range from \$5,000 to \$7,000 per student this year. The report calls for the State to set a uniform statewide rate that Cyber charter can charge schools.

## South Carolina Update – November 2001

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Under a \$1.7 million Gates foundation grant, all South Carolina principals and superintendents are receiving laptop computers. Superintendents will participate in leadership training twice a year where they will learn how technology can be used to enhance teaching and learning.

A report by a Governor-appointed commission has urged State policymakers to enforce a 1994 act that requires greater alignment of academic skills with skills needed in the workplace. In a general sense, the report recommends the implementation of “foundations” and “competencies” recommended by the SCANS Commission in 1992. The report argues that two-thirds of the positions in the State require technical skills, but less than one-third of graduates go to two-year technical colleges.

The State Department of Education announced recently that approximately \$80 million must be cut from the current budget for K-12 which will likely result in postponing the implementation of the State’s new accountability system.



## South Dakota Update – November 2001

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A recent survey by the State University Extension Service found that its *Character Counts* curriculum used in schools statewide has been effective over the last three years in reducing cheating, law breaking, and drug and alcohol abuse. The number of students who use illegal drugs dropped from 22 percent to 15 percent and for alcohol abuse dropped from 48 percent to 33 percent. The report found that the *Character Counts* curriculum appeared to be more effective in grades 1-6 than at higher grade levels.

As part of a political turf battle, the State K-12 Board of Education recently re-asserted its rights to determine what is taught at the State's four technical institutes. The State Board of Regents had attempted to get a ruling from the State Supreme Court which would have allowed it to determine what subjects are taught at the four technical institutes based on their argument that the courses taught in the technical institutes are very similar to those being taught in five state-funded post-secondary schools, whose enrollment is currently below capacity.

## Virginia Update – November 2001

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The SEA and WorldCom Foundation are supporting the implementation of the *Marco Polo* professional development, train-the-trainer model to facilitate access to Internet resources used in classrooms. The SEA has also contracted with Education Development Center for staff development relating to use through EDC's Educational Technology Leadership Online program (ETLO). A new web-based system for special education reporting has been tested and found to be secure for special education reporting. School divisions will be able to submit data that is secure over the web and extract child count data from their student information system.

The annual Educational Technology Leadership Conference is scheduled for December 12-14, 2001. For more information go to [www.pen.k12.va.us/VDOE/Technology/conference](http://www.pen.k12.va.us/VDOE/Technology/conference). A new contact person is Gloria Barber, Director of Instructional Media and Training, 804/225-4429.

The Democratic Governor-Elect, Mark Warner, supports expanded use of computers in education, increased participation in an adult computer training program called "Tech Writers," and training teachers in the use of computers in schools. He is likely to modify the State's accountability system and the State SOL assessments.

The Virginia Department of Education recently released results of its State SOL school accreditation results which indicated 40 percent of schools, based on SOL student scores, would have met the minimal accreditation criteria; this is up from only two percent in 1999. An additional 30 percent of schools which would not have met accreditation criteria, did meet the year-to-year benchmarks for "adequate progress." The accreditation system is to go into effect in 2007. Virginia assessment requirements for graduation with a high school diploma have changed from the use of one SOL test to a large number of other nationally-recognized assessment instruments. The State is planning to expand online State test taking under a recent \$100 million plus initiative that involved several firms in the demonstration phase.

## Wisconsin Update – November 2001

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Governor McCallum vetoed a provision in the biennial budget that would have allowed school districts to increase funding beyond State-imposed caps without getting permission from voters. Three districts were exempted. The estimated cost to the State would have been approximately \$50 million over two years.

Amid a political feud between the State Superintendent, Elizabeth Burmeister, and new Governor, Scott McCallum, one of the likely casualties will be changes in plans for developing, implementing and administering a new State assessment which was to have been field tested in April. Students, beginning with the class of 2004, will have to pass such exams in order to receive a high school diploma. The legislature appropriated \$5 million in August for the development of the assessment which CTB/McGraw-Hill will be conducting if development continues. Superintendent Burmeister halted development of the instrument in mid-October, which added fuel to the feud between her and the Governor. Estimates of the actual cost for development are over \$10 million.