

Alabama Update - August 2003

Alabama Public Television (APT) has selected *DigitalCurriculum*, from AIMS Multimedia, as the exclusive, Statewide curriculum-on-demand service. Under the three-year contract, (which runs from August 2003 through August 2006), AIMS will provide APT with a complete Digital Curriculum package, including full-length videos, key concept video clips, still images, lesson plans, teacher guides, online assessments and assignment, and administrative reporting and communication tools. According to the Heller Reports, AIMS will also support the effort with technical support, implementation consulting, and staff training.

Alaska Update - August 2003

The per pupil K-12 budget will increase from \$4,010 to \$4,169 or three percent for K-12. However, total funding was reduced from \$738 million to \$729 million. The per pupil aid represents the largest such increase in about a decade as \$380 million had to be allocated from the State's budget reserve. One casualty of the budget was a remedial program referred to as Learning Opportunity Grants designed to help schools improve standardized test scores.

A consortium of nine Alaska school districts has pilot-tested 21 online courses for high school students over the last 12 months; these courses will be available for students across the State in September. The consortium has grown as districts developing their own online courses have joined forces for economies of scale. Referred to as Alaska Online, the program user certified teachers to implement each course. The pilot test was funded under a Federal grant and an additional \$1.5 million has been requested to continue providing the services at no or very little cost. Nonmembers will have to pay tuition for courses.

Arizona Update - August 2003

The Arizona accountability plan approved by the U.S. Department of Education included a dual measurement system for school performance: one to address the rigid Federal requirements and the other for State purposes. The Federal system calls for schools to be graded on a pass/fail basis keyed to the performance of student subgroups. The alternative State system includes a five-point scale -- from “excelling” to “failing” -- based upon a school’s overall improvement. The State plan gives schools one more year than the Federal plan to improve before being labeled as “failing.”

As part of an ongoing pilot program in Arizona, five new virtual charter schools have been created to allow school children to attend school using their home computers. There are no geographic boundaries for attendees at the virtual schools, but some schools require that students have a home computer and an Internet connection. State law requires that students attending virtual schools take all standardized tests required of other students and that the schools document the academic progress of their students. As reported in eSchool News.com, the newly approved virtual schools are: Humanities and Sciences High School; Phoenix Special Programs and Academies; Pinnacle Education, Inc.; Primavera Technical Learning Center; and Sierra Vista Charter Schools, Inc.

According to the Arizona Capitol Times, Arizona’s Attorney General has stated that the State Superintendent has the authority to establish guidelines for enrollment in bilingual education programs. Two State legislators had raised questions about the Superintendent’s authority in February, when the Superintendent issued guidelines for waivers to the requirements that all students be taught in English.

In the State’s budget for FY 2004 passed in June, K-12 education appears to be the biggest winner. Although faced with a \$1 billion budget shortfall, the legislature approved \$3 billion for K-12 education -- a 13 percent increase over last year. The additional funds are needed because of the steady increase in public school enrollment.

A State Auditor General's report has severely criticized the State's oversight of Arizona's charter schools. Charter schools comprise about a quarter of Arizona's public schools and receive \$380 million in State funding for their operations. The report found that: (a) monitoring visits were lax in identifying problems and following up on problems they did identify; (b) financial information was not reviewed resulting in the closure of nine charter schools over the past three years for financial reasons; and (c) complaints about such things as abuse or failure to provide special education services were not tracked.

California Update - August 2003

A study conducted by a researcher at Stanford University indicates that, between 1999 and 2001, students in California charter schools improved their performance on standardized tests more than students in traditional schools, according to the Los Angeles Times. The study by the Hoover Institute showed that charter high school students improved their scores on the API test by 37 points (from 575 to 612) while scores for traditional high school students improved by 18 points (from 617 to 635). The improvement for elementary students was approximately the same for both types of schools. These results are considerably more favorable than those of other studies of charter school performance.

According to the Los Angeles Times, The California Superintendent of Schools had asked the State Supreme Court to suspend the State requirement that a two-thirds vote be required to pass a budget. Based on a similar ruling in Nevada, this request was intended to break a legislative impasse over a \$38 billion gap in the State's budget. The Democrats in the legislature finally passed the budget with little Republican support. The budget bill includes an increase in income taxes for high earners and a one-half cent increase in the sales tax.

At the end of July, the California legislature passed a State budget of \$100 billion. Higher education saw its funding cut by more than \$400 million, including significant reductions in such programs as teacher professional development and Internet access to K-12 schools. Basic K-12 programs were spared the ax, in large part because the State's Proposition 98 guarantees certain funding for K-12 schools and community colleges (but not for four-year colleges).

Because State education officials believe students have not had enough time to learn the material to be tested, California will defer for two years (until the Class of 2006) the requirement that students pass the high school exit exam in order to graduate. An analysis of last year's test results have shown that many students were never taught some components of the test (e.g., algebra), that the requirement would have meant that more than a fifth of the students would not have graduated, and that the effect would have fallen disproportionately on students with disabilities or limited English proficiency.

A report released in late July indicates that California public schools are having great difficulty meeting State accountability standards. More than two-thirds of the schools in the State failed to meet AYP standards. According to the Contra Costa Times, the largest reason for the poor performance was the school's inability to test the required 95 percent of their students. These results produced no sanctions and are intended to be a baseline from which the schools' future performance can be measured.

The California Children and Families Commission, chaired by movie director Rob Reiner, is responsible for administering funds from Proposition 10, passed in 1998, which imposes a 50 cent-per-pack tax on cigarette sales to benefit education and health care for pre-K children. Last month, the Commission committed \$100 million of Proposition 10 funds to provide preschool for all California children. The money will be used to match funds from localities planning to develop preschool programs for all three- and four-year-olds.

Across California, summer school programs -- especially enrichment courses -- have been severely hurt by the State's budget crisis. The Los Angeles Times reports that state funds for supplemental programs like summer school were cut in the new State budget by more than 20 percent -- from \$450 million to \$352 million. Moreover, because the budget was not approved until well into the summer session, district uncertainty often led to more severe summer school cutbacks that were necessary.

Teachers in at least one California school district have expressed concern over the emphasis on literacy at the kindergarten level. Southcrest in the San Diego area uses a test called the Diagnostic Reading Assessment (DRA) -- intended to be administered three times a year -- to assess the reading progress of young learners. In the opinion of some observers, many teachers have been given the DRA monthly and exerting pressure on students and parents to meet literacy goals. They believe this literacy emphasis has come at the expense of developmentally appropriate activities.

Colorado Update - August 2003

As reported in the Denver Post, The Colorado Department of Education has established a new office responsible for school choice issues -- including charter schools, magnet schools, open enrollment, and private-school vouchers. Spurred by the Federal No Child Left Behind Act and a voucher plan for low-income parents, Colorado has become the leader in matters relating to school choice. A broad array of elements in the Colorado education community -- including the Colorado Association of School Boards and the Colorado Education Association who have long opposed vouchers -- are serving as advisors to the new office.

Connecticut Update - August 2003

In early July, Connecticut was announced as the recipient of a \$42.5 million Reading First grant over the next six years. The State will receive \$7.4 million during the first year. This Fall, Connecticut will hold a grade competition expecting to support 19 schools in eligible districts. In addition, the State will conduct Early Reading Success Institute for school-based literacy specialists; these institutes will provide professional development in reading instruction based on scientific research.

Connecticut's 39 magnet schools are facing extreme budget pressures this year. Last year, 31 magnet schools cost \$44 million to operate. Operating costs have risen to \$59 million this year and will go up to \$73 million next year when nine more magnet schools are added. This increase is more than ten percent below the funding needed with many magnet schools lacking budgets for adequate books or supplies.

Delaware Update - August 2003

Delaware's budget for K-12 education in FY 2004 is \$817,000 out of a total State budget of \$2.4 billion. This represents a 2.7 increase over last year. During the legislative session that ended on June 30, the State's professional standards board was renewed for two years and a task force was established to develop a full-day kindergarten program for all children in the State. Currently, half-day classes are offered for 70 percent of the State's kindergarteners.

Despite the State's view that its schools are performing well, 57 percent of all public schools in Delaware are rated as failing to make adequate yearly progress (AYP) under No Child Left Behind mandates. Only three of the State's 28 high schools and three of the 33 middle schools made AYP. From a school district standpoint, only two of 19 districts -- Smyrna and Caesar Rodney -- made AYP. Other states have improved the reported performance of their schools by adjusting the rating algorithm. Delaware, with higher academic standards than most states, has not made any adjustment.

Delaware officials for several years have pointed to the results of Delaware students taking the NAEP as being among the highest in the country. However, some USED official recently reported Delaware had excluded scores of some special education student scores in determining NAEP progress.

Florida Update - August 2003

In a May special session, the Florida legislature passed an \$8.2 billion budget for K-12 education -- a six percent increase over last year. Signed by Governor Bush on May 28, the budget included \$468 million for class size reduction, an approach initially opposed by the Governor. The budget also includes \$600 million in construction bonds to finance the additional classrooms needed for the mandated class size reduction. As part of the education bill, the Republican legislature did not approve the granting of exemptions which would have allowed high school seniors who fail the State exit exam to graduate. Rather, Florida has a program of high school diploma equivalency for such students, as well as summer courses for students in the third and tenth grade who fail the Florida Comprehensive Achievement Test.

In a program funded at \$25 million, slightly over 40,000 third grade students who failed the FCAT this Spring are receiving remedial instruction prior to taking the FCAT reading test once again. Those who pass the test will be promoted to the fourth grade. Summer students were required to score at 51st percentile on the Stanford 9 test to be promoted. In Orange County (Orlando), only 15 percent of the more than 1,700 third graders who attended the summer camp passed. According to State officials, the intensive immersion program in reading is not a typical summer school program. This effort is part of the Statewide Just Read program which has been allocated about \$100 million in State and Federal funds over the next year. In addition to the reading camp initiative, approximately 8,000 teachers are being trained this summer in using scientifically-based instructional approaches. Some districts have also conducted parent workshops including tips for parents helping their children to develop reading skills.

Governor Jeb Bush signed into law a bill on June 20 which gives a second chance to students who failed the state's mandatory high school graduate test. The new bill provides students, many of whom have limited-English proficiency, with other options for earning their diplomas, including college entrance exams, military exams, accelerated GED courses, or adult education courses. Over 12,000 seniors failed the FCAT and were not allowed to graduate this Spring. Almost 500 students under this new law will likely receive high school diplomas through the use

of alternative test scores or other measures to be approved by the State Board, as reported by the St. Petersburg Times.

Beginning July 1, 2003, the new Florida Virtual School (FLVS) is now included in the State's K-12 funding formula. Previously, it had a separate budget line item. The online public high school offers academic and career-oriented courses at no cost to Florida students. Last school year, more than 10,000 students in the State were enrolled.

Earlier this year, the Florida legislature passed a three-year "fast track" program which reduced high school graduation requirements from 24 to 18 credits, primarily by reducing physical education and elective requirements. The Miami Herald reports that, in Dade County alone, nearly 10,000 entering seniors have already met, or can meet with a single night school course, all of their graduation requirements. Should these students choose to graduate immediately, the district could lose as much as \$50 million in State aid and hundreds of teachers would become unnecessary.

Florida's program of providing school vouchers to parents of students in failing schools is called Opportunity Scholarships. Last year, 556 used the vouchers to transfer schools (most will use the vouchers again this year). According to the Miami Herald, this year, the program will more than double with at least 630 more students registering for vouchers. More than 60 percent of this year's voucher users will come from Miami-Dade County schools.

The State Department of Education recently announced that only 13 percent of Florida schools (or about 2,600 schools), failed the Title I No Child Left Behind adequate yearly progress criteria. Many of these schools received A or B grades under the State's accountability system. As is the case in many states, a large number of districts which failed to meet AYP, did so because fewer than 95 percent of the students who were supposed to have taken the state assessment did so. Recently the SEA Title I office stated to us that only 35-49 schools of these 2,600 schools actually failed to meet AYP last year and hence will have to be allocating at least 15 percent of the school's Title I budget for staff development immediately.

The Miami Herald reports that there has been an overall improvement in the accountability rankings of Florida schools this Spring. Statewide the number of schools receiving grades of “A” (based on FCAT results) increased from less than 900 to 1,230, nearly half of all Florida’s schools. In Miami-Dade County the number of “A” rated schools increased to 110, more than a third of its schools. On the other hand, nine Miami-Dade County schools -- including four large, inner-city high schools -- received “F” ratings. Students at these schools are eligible to receive vouchers to private schools.

In Jacksonville, a Circuit Court Judge is attempting to develop a program of reading interventions for incarcerated juveniles with literacy programs. Judge Karen Cole believes such a program will reduce the number of repeat juvenile offenders, according to the Jacksonville Times-Union.

Georgia Update - August 2003

Georgia's FY 2004 budget includes an \$11 million cut (from \$21 million to \$10 million) in funds for school improvement. The impact of this reduction will be seen in the number of instructional coaches available to the 142 schools needing such assistance. Rather, each coach will be shared between two schools. Governor Perdue expressed opposition on fiscal grounds to an amendment that would give teachers a five percent salary increase if their students improve their test scores. The FY 2004 budget also includes a number of cuts to enrichment programs.

USED has sent a letter to State officials indicating that the Title I administrative set-aside funding at the State level would be cut by \$800,000 because the State had failed to meet a deadline of having high school tests in place this Fall. According to Title I Report (June 2003), because of the change in State leadership earlier this year resulting from last November's election, State officials decided not to implement the test administration. The previous administration had agreed to do so this year. Under No Child Left Behind USED is prohibited from extending waivers related to assessment requirements and deadlines.

Georgia education officials have expressed concern over the nature of data submitted by districts and schools in the State. They do not know, and have no way of checking, whether the local data is accurate. They do not check for accuracy (the SEA's audit office was disbanded years ago amid budget cuts). There are no sanctions against districts reporting inaccurate data. And districts often interpret data reporting rules differently. Over the recent year, the State has spent millions of dollars (as much as \$100 million according to some) to develop a comprehensive student database, which is not currently operational.

Of all 1,128 schools in Georgia that receive Federal Title I funds, nearly 40 percent (456) did not meet testing goals last year and must offer parents the option of transferring their children to another school. Of the 672 Title I schools that met the standard this year, nearly 40 percent were on the "needs improvement" list last year. More than 285 schools failed to administer the test to 95 percent of students, which, as "no shows" score "0" (see Atlantic Journal, August 8, for list).

Idaho Update - August 2003

In June, the Idaho State Assessment and Accountability Commission eased its requirement that high school seniors had to pass all five of the State's basic skills exams in order to graduate. According to the Idaho Statesman, The Commission's current recommendation would allow students to graduate if their combined scores on the language and math components of the tests meet a certain minimum level. The State Board of Education is scheduled to meet in August to consider the Commission's recommendations.

Illinois Update - August 2003

The Illinois legislature has cut funding for the Technology for Success program by more than 50 percent. Funding for charter schools was reduced by almost 40 percent. A math improvement teacher mentoring and parental involvement programs have been eliminated along with nine others. Most of the proposed budget to implement NCLB reporting, administration, and evaluation infrastructure has remained about the same.

The Chicago Sun-Times reports that, based upon statewide testing results released in late July, more than 600 schools in 90 school districts failed to make adequate yearly progress on the exams and may be required to provide transfer options to parents and students. This compares unfavorably with 245 schools (191 from Chicago) in 31 districts last year.

Of the 574 schools that failed to meet the AYP criteria, over 360 are in Chicago. Over 200,000 students would be eligible to transfer to nonfailing schools; these schools, however, have only room for about 5,000 more students. Last year, less than 10 percent of students eligible for transfers actually did so. By the middle of September these schools can appeal their designation as failing.

In Chicago Public Schools, the number of students eligible for transfer is expected to grow dramatically next school year. During the summer of 2002, a pilot program gave nearly 30,000 students in 50 failing schools the option to transfer to other, better schools. The district faced criticism for providing parents with too little information and time to make educated choices. A total of only 1,165 children actually transferred. Based upon school performance data for this school year, about 125,000 students in 179 failing schools are eligible to transfer with even more to become eligible when Spring test scores are released.

This summer, Chicago Public Schools has implemented a six-week summer fellowship program designed to attract quality teachers into the district. According to the Chicago Tribune, about 150 aspiring teachers -- most still in college -- are teaching classes of students at risk of being retained in their grades. These "summer fellows" are paid \$12 per hour and are provided

housing in college dormitories and a program of professional development. The district expects to offer jobs to 90 percent of the interns.

Indiana Update - August 2003

Summer school programs in Indiana are facing serious budgetary crises. As reported in the Indianapolis Star, the State's budget for summer school programs this year is \$18.6 million, a small increase from last year's \$18.4 million. These funds are considerably lower than the \$21.6 million allocated in 2000. Local districts have always needed to supplement State funds and this year there is great variation among Indiana's 293 school districts. Indianapolis, the largest district in the State, will provide remedial summer school programs for only about 4,000 students, only half of those who need remediation.

State education officials are encouraging local districts and schools to change their traditional letter grade report cards to a numerical scale on which "3" means mastery of an area and "1" or "2" means needs more work. School officials believe that this grading structure, more aligned with State standards, will result in higher scores on the Indiana Statewide Testing for Educational Progress (ISTEP).

Next school year, the number of Indiana students taking the ISTEP will double to nearly 600,000 at a cost of \$7 million more than last year. In the past, only third, sixth, and eighth graders took the math and language arts exams. Starting this coming year all students in third grade through ninth grade will take the tests. Last year, about a third of Indiana's students failed the tests. (See Washington Update item on CEP report on exit exams for costs of high stakes testing in Indiana.)

Iowa Update - August 2003

On June 9, the U.S. Department of Education announced that Iowa had become the 32nd state or territory to gain approval for its accountability plan under No Child Left Behind Act.

According to the Des Moines Register, state education officials have indicated that, as required by the No Child Left Behind Act, all Iowa teachers will be rated “highly qualified” by 2006. Last school year, more than 90 percent of the State’s public school teachers were “highly qualified” and those who were not needed only a subject matter endorsement to meet the standard.

In 2001, Iowa initiated a program to pay teachers based, not on seniority, but on performance. The State invested \$40 million hoping that the plan would attract and retain more high-quality teachers. However, the State’s budget problems have restricted the program’s growth and the legislature is considering abandoning the plan next year.

Kansas Update - August 2003

Through the use of advanced funding and other budget tweaking gimmicks, the State appropriated \$3.5 billion for education or one percent over last year's budget. However, there are extreme pressures at the district level to continue increasing class size and postponing many purchases of products and services.

The Kansas Department of Education has chosen Harcourt Assessment products as part of the State's plan to meet the requirements of the Federal Reading First program. Specifically, Kansas will use Early Reading Diagnostic Assessment - Second Edition for its Fall 2003 testing in grades K-3. The State will also use the Stanford Reading First Test to assess the effectiveness of the schools' intervention efforts.

Louisiana Update - August 2003

More than 4,500 students who retook the State's eighth grade math exam for the third time have failed once again. At the fourth grade level, almost 30 percent of those taking the math test for the third time failed and about 25 percent failed in English. The State has provided approximately \$20 million for summer school and tutoring. An additional \$14 million has been provided for a math and reading initiative targeted to grades K-8.

The Teach Louisiana website is now available and is helping job applicants fill education positions across the State. The online service also provides information on alternative routes for teacher certification and support for new teachers. As of June, almost 70,000 teachers and others have registered to use teach Louisiana.

Maine Update - August 2003

The Maine Department of Education is working with local school districts to develop more realistic and practical assessment systems. Maine is one of only a few states trying to develop state assessment systems that do not rely on standardized tests. The State's local assessment guide can be downloaded at: www.state.me.us/education/lsalt/localassess.htm.

According to eSchool News online, Maine has requested a waiver from the U.S. Department of Education to avoid the reporting requirements of the No Child Left Behind Act. The State believes that it already requires students to meet higher standards than called for by NCLB and that the Law mandates unfunded activities.

In March, at the request of Governor John Baldacci, the legislature approved a plan that would transform the State's seven technical colleges into community colleges. The legislature appropriated \$1 million to help with the transformation over a seven-year period. The community colleges would have a comprehensive goal of preparing students for careers and for four year colleges, and would provide more remedial classes and career counseling.

Maryland Update - August 2003

Using funds from a 2002 tobacco tax, the Maryland legislature made payment on the State's plan to increase spending for K-12 education. The \$141 million payment from tobacco revenues is the second annual payment; in subsequent years, the funds will revert to the State's general fund. With this increase, Maryland's FY 2004 budget for preK-12 education will rise from \$3.1 billion to \$3.3 billion -- a six percent increase. Governor Ehrlich signed a bill that would require charter schools to meet all State and local regulations and made charter school staff district employees for collective bargaining purposes.

In late July, the Maryland Board of Education approved a new set of standards -- called the Maryland School Assessment (MSA) -- to replace the ten-year-old Maryland School Performance Assessment Program. The new standards were developed in consultation with teachers and education experts. Overall, more than 60 percent of Maryland students would have passed the reading portion of the test. In math, 65 percent of third graders would have reached proficiency, but only 45 percent of tenth graders would have done so. Special education students would be particularly affected, with only about a third of the third- and fifth-graders, and only 20 percent of eighth graders passing the reading test. Math results were even worse with less than ten percent of eighth grade special needs students passing the exam.

The Washington Post reports that André Hornsby, the new Superintendent in Prince George's County, is attempting to make significant cuts in the district's \$1.2 billion budget. Among the cuts, totaling \$35 million, to be considered immediately in the 135,000-student school district are abandoning plans for class size reduction in elementary schools and tutorials for students taking high school assessment exams. Later, it is anticipated that as many as three-quarters of the retired teachers who were rehired to fill teacher shortages may be let go.

Massachusetts Update - August 2003

The Class of 2003 is the first class required to pass the reading and math portions of the Massachusetts Comprehensive Assessment System (MCAS) test in order to graduate. More than 4,000 students statewide have yet to pass the exam. A retest was given in May but results have not yet been announced. A second retest was given in late July, but fewer than a third of the 1,550 students signed up to take the test actually showed up.

According to the Boston Globe, the State's program to attract professionals from other fields into teaching with \$20,000 signing bonuses is the victim of budget pressures. While the State Senate included funds for the bonuses into the budget proposal, the Governor eliminated the funds. Payable over four years, the bonuses attracted some new teachers, many of whom will not receive the full bonuses promised to them.

As required under the No Child Left Behind Act, Massachusetts schools will soon be rated on factors other than student performance. The Boston Globe reported that graduation rates and attendance will be added to the rating scale. These two factors will be reported this Fall for the 194 schools in the State that "need improvement" with other schools being rated on these factors in 2004.

The Boston Globe reports that the After-School for All Partnership in Boston has begun an initiative, funded at almost \$1 million, to train staff in about 40 after-school programs in the city. Aimed at improving children's literacy skills, the initiative plans to train more than 200 teachers and aides. In nearby Jamaica Plains, the district's Young Achievers Science and Mathematics Pilot School has sought to consolidate its after-school program with the regular school schedule, creating what the school calls a "seamless" day.

Michigan Update - August 2003

On June 9, the U.S. Department of Education announced that Michigan had become the 35th state or territory to gain approval for its accountability plan under the No Child Left Behind Act.

Governor Granholm had to notify superintendents that the legislature will likely require a 3.8 percent pro rata cut in the school aid fund for this coming school year because of revenue shortfalls. However, she also announced a \$38 million initiative to expand the “Learning Without Limits” pilot program sponsored by House Speaker Rick Jackson. While the pilot program provided a total of \$10 million to 15 schools and/or districts to demonstrate wireless technology applications, the Governor’s initiative, called “Freedom to Learn,” is designed to provide all of the State’s 130,000 sixth grade students wireless computing devices this current year. Eventually laptops and/or PDAs would be provided to all K-12 students. The legislature has to approve the \$22 million in State funds to be used for this expansion. Up to \$16 million in Federal grants would also be allocated to the initiative which would total \$38 million. The initiative would be co-directed by the Michigan Virtual University and the State Department of Education. The Governor’s predecessor, John Engler, undertook an initiative two years ago to provide all Michigan teachers with laptop computers costing more than \$100 million.

Governor Granholm is expected to fight for her technology initiative in the ensuing budget battle with the legislature. Earlier this year during the National Democratic Governor’s Association meeting in Washington, D.C. and shortly after USED turned down the Michigan accountability and assessment plan, I mentioned to her that the State’s accountability system has been one of the best in the country for almost two decades and that she should argue strenuously to keep some of the major State accountability components in her plan. Recently USED approved most of these provisions which are now a part of the Federal accountability plan. George Will has expressed regret that Governor Granholm, as a naturalized citizen born in Canada, cannot run for President.

According to the [Detroit Free Press](#), Michigan has encountered another delay in getting scores on the Michigan Educational Assessment Program (MEAP) out to schools. Blaming the scoring

snafu on Enterprises Computing Systems, creator of the student database, the State says scores from the MEAP tests taken six months ago will be released in late August-September, too late for schools to use results to improve their curriculum.

Minnesota Update - August 2003

The state biennium budget for 2004-05 fiscal years for K-12 education will be \$130 million or one percent lower than the previous K-12 biennium budget.

In July, Minnesota announced a new accountability tool by which parents can assess public schools in the State. According to the Star Tribune, the tool will use a five-star system to evaluate schools based on student academic performance, attendance, dropout rates, safety, and teacher qualifications. Schools making adequate yearly progress under the No Child Left Behind Act will receive five stars.

The most recent list of underperforming schools in Minnesota, published August 14, shows only 144 schools -- compared with 259 schools listed last month. These changes have come as the result of appeals, corrections of bad data, and other technical reasons. Most of the schools -- 83 percent -- have been on the list for failing to make adequate yearly progress for one year. For similar reasons, the list also reduced the number of districts failing to make adequate yearly progress from 96 to 45.

Missouri Update - August 2003

An organization called the Committee on Education Equality, representing nearly 150 rural Missouri school districts, is suing the State in an attempt to increase education funding and revise the current allocation structure. Last year, the State legislature increased State aid by \$135 million; this was \$40 million less than “full funding.” This total was then reduced by another \$90 million due to lower tax revenues. For the coming year, it is expected that K-12 funding will drop \$340 million from last year’s appropriation.

Montana Update - August 2003

The estimated FY 2002 budget gap of \$50 million could be made up, if needed, through reductions in K-12 and higher education budgets. No growth is projected in the general fund for FY 2003. The Governor is not likely to call for any tax increases.

Montana's State allocation for educational technology -- \$1 per student -- comes from sale of timber.

In late July, the U.S. Department of Education announced that Montana's Reading First grant has been approved. The State will receive \$20.2 million over the next six years -- \$2.9 million for the first year. Later this summer, Montana will hold a grant competition among the State's 20 eligible school districts. In addition, the State is conducting annual Summer Reading Institutes to provide teachers with professional development in scientifically based reading instruction.

New Jersey Update - August 2003

A bill being considered by the New Jersey legislature would change the mandatory school attendance age from 16 to 18. Noting that nearly 13,000 New Jersey students (2000-01 data) drop out of school each year, some legislators believe mandatory attendance through age 18 will reduce the drop out rate. As noted in the Philadelphia Inquirer, some education organizations, including the New Jersey School Boards Association, oppose the change.

A settlement has been approved by the New Jersey Supreme Court which would allow some low-performing schools in the 30 Abbott districts to modify their court-ordered programs of schoolwide reform. Arguing the need for flexibility, the SEA would now allow low-performing schools to adopt alternatives upon consultation with the SEA assigned teams. High-performing schools in the Abbott districts would be allowed to change schoolwide reform programs by getting district approval. This increased flexibility will reduce the number of schoolwide reform models that were adopted initially in the mid-1990s. Each year, the Abbott districts receive an additional \$250 million to \$350 million to implement overall reform. The new flexibility mandate could create opportunities for effective programs which have been demonstrated to be effective in turning around poor-performing schools.

Under a new State law, called the "Statewide Tuition Waiver Program," children (ages 16-23) under the jurisdiction of the State's youth and family services division for at least nine months can receive tuition waivers at county vocational schools or the state university system. Administration of the program is supported by an \$800,000 Federal grant.

The New Jersey State Board of Education has approved a proposal to require at least 110 credits for graduation, five of which must be earned credits in career or technical education. Proposed regulations for these and other changes will be made available for public comment through January 2004.

New Mexico Update - August 2003

In September, New Mexico voters will vote on two propositions: one, supported by Governor Bill Richardson, would create a cabinet-level Secretary of Education which is designed to provide for greater accountability at the district level; another would increase, by one percent, the amount of investment income distributed to public schools from the land grant permanent fund.

New York Update - August 2003

There have been numerous complaints that the Math Regents exam given this June was too difficult for students. In at least one district, the pass rate was less than 20 percent compared with nearly 80 percent on the January exam. Commissioner Mills has granted districts permission to award high school diplomas to students who fail the Math A State Regent's exam. His rationale was that the test was, not only too difficult, but also flawed and questioned whether it was appropriately aligned with math courses. Students who failed the test but received diplomas had to receive passing grades for their math course.

As reported in the New York Times, voters in school districts across New York almost uniformly approved their school budgets in the June election. Of the nearly 700 districts in the State that voted on their budgets, 94 percent approved. In the past, the average has been 82 percent. Overall, school budgets will increase by an average of 4.1 percent next year. Many believe the strong local showing is in response to significant cuts at the State level. Governor George Pataki proposed cutting education spending by at least \$1.2 billion. Although the legislature put back most of the funding, school districts will receive close to \$185 less this year than last.

A Federal district judge in New York City has ruled that parents do not have a right to sue the city Board of Education because the district had failed to provide parent choice and supplemental education service options for the parent. As reported in Education Week (July 9), the judge ruled, "It is clear that Congress did not intend to create individually enforceable rights with respect to the notice transfer or supplemental education service provisions in No Child Left Behind." This ruling, if not appealed, clearly implies that the enforcement of NCLB provisions is left up to USED and the SEA.

Although Mayor Bloomberg campaigned for English immersion (vs. bilingual education), a new plan announced by Chancellor Klein will include the old immersion ESL and bilingual education programs for the 160,000 non-English speaking learners in the district. An additional 100 instructional support specialists will be hired. Approximately \$100 million will be spent on the plan and its implementation.

In New York City, approximately 228,000 students in low-performing schools are eligible to transfer to better schools next school year. Of this total only about 5,900 have actually chosen to do so. Part of the reason for this low transfer rate is uncertainty about transfer rights on the part of parents. According to the New York Times, a letter from the City informing parents of their rights erroneously implied that all students eligible for transfer who chose to remain in their schools would be eligible for tutoring. Only schools identified as “in need of improvement” for two years would provide such tutoring.

In July 2000, New York City began an ambitious summer school program in hopes of improving student performance in its schools. Results over the past three summers have been mixed. Few of the students in greatest need of extra academic help have participated (attendance is not compulsory). Fewer than half of the failing students who did show up in the summers of 2000, 2001, and 2002, passed end-of-summer exams. According to the New York Times, in some cases, scores were lower at the end of the summer than at the beginning. In fact, an ever-increasing percentage of students attending summer school classes have been promoted even though very few graded out as even “proficient.”

New York City Public Schools has chosen Princeton Review to develop an interim language arts and math assessment program -- administered three times each school year -- to monitor student progress and to tailor instruction to meet student needs. The \$8 million contract will begin this Fall and will continue for three years.

Beginning this Fall, New York City Public Schools will adopt a uniform mathematics curriculum called *Everyday Mathematics*, which emphasizes understanding of concepts rather than mastery of basic operations. A key part of the new reading curriculum will be *Month by Month Phonics* which has come under severe criticism because -- contrary to its title -- it is not a phonics program at all and, according to researchers, has no solid research base. According to the New York Times, this selection puts at risk millions of dollars in Federal funds and is expected to cause the City to reconsider its decision.

The New York City Special Education Department and Mayor Bloomberg have offered a plan which would streamline the special education process for approximately 150,000 special education students. Rather than two evaluations being conducted, only one would be conducted at the student's school for determining whether the child should be placed in special education. The number of special education committees would be reduced from about 40 to 10 and almost 1,000 educators would be freed up from administrative paperwork to provide classroom instruction. The panel of the New York City Council, however, has argued that a greater effort should be made on early identification and evaluation to take advantage of state funds earmarked for early intervention programs. If the House version of IDEA reauthorization is passed, then up to 15 percent or approximately \$1.5 billion of IDEA funds could be allocated for prereferral intervention strategies (see May Special Report on IDEA Reauthorization).

Ohio Update - August 2003

Governor Taft has approved the FY 2004 state budget which includes an increase in the amount of funding -- from \$2,250 per child to \$2,700 -- private schools can receive under the Cleveland voucher program. The amount charged to parents would also increase from \$250 to \$300 for parents whose income is \$36,800 or less for a family of four.

During the recent conference attended by state officials, as reported in Title I Report (June 2003), USED has evidently sent a letter to Ohio State officials threatening to withhold over \$400 million in Title I funding because the legislature failed to adopt the State's assessment and accountability plan approved by USED earlier this year. States are required to ensure that state processes and procedures correspond to those included in the USED-approved state accountability and assessment plan.

Oregon Update - August 2003

It is estimated that at least 50 school districts in Oregon will cut short their 2002-03 school years by as much as several weeks. Portland, for example, will have a school year that is 24 days less than planned.

On June 9, the U.S. Department of Education announced that Oregon had become the 27th state or territory to gain approval for its accountability plan under the No Child Left Behind Act.

As of mid-August, Democratic Governor Kulongoski had threatened to veto the 2004 proposed budget by the Republican-controlled House. As reported in Education Daily (August 12), the Governor's education policy advisor, James Sager, stated that if enough money is not appropriated by the legislature, the State will have to trim back its assessment and accountability system, which is more than a decade old and is one of the most highly-respected systems in the country. Moreover, the State would use national norm-referenced standardized tests for its math and reading assessments in grades three through eight while dropping plans for assessments in social studies, foreign language, and health among other subjects. However, the State will retain the Certificate of Initial Mastery. Last year, ten schools were identified for improvement. A recent list, based on 2002 test scores, indicates that over 350 have been identified, almost 250 of which are high schools. Pending availability of State funds, Oregon will retain both Federal and State accountability systems, including the state system which sets different starting scoring points for students and allows "adaptive" testing.

Pennsylvania Update - August 2003

On June 9, the U.S. Department of Education announced that Pennsylvania had become the 29th state or territory to gain approval for its accountability plan under the No Child Left Behind Act.

Nearly half of Pennsylvania's public schools are classified as in need of improvement with close to 250 schools required to offer transfer options to their students this Fall. As reported in the Pittsburgh Post-Gazette, 150 schools -- all in the Eastern half of the State -- have been designated for "corrective action," meaning reconstitution (replacement of staff) or takeover by a private company.

Tennessee Update - August 2003

The U.S. Department of Education has approved Tennessee's State accountability plan under the No Child Left Behind Act. Tennessee has become the 25th state to have its plan approved.

The FCC decided in early July to release withheld funds to the state to reimburse subcontractors to continue to provide Internet service. As previously reported, an investigation of the contract process by which the Education Networks of America received a \$106 million contract to run Connect TEN network which over half of its funds was from the E-rate program. Officials at ENA were alleged to be very close to former Governor Don Sundquist, a Republican. The FCC decision to bypass sending funds to ENA but rather pay subcontractors directly, of which there are 24, allows the Internet service to continue serving almost one million students until the investigation is complete.

Texas Update - August 2003

On June 9, the U.S. Department of Education announced that Texas had become the 33rd state or territory to gain approval for its accountability plan under the No Child Left Behind Act.

Commissioner Felipe Alanis resigned as the TEA Commissioner of Education at the end of July. He was appointed commissioner slightly over a year ago by Republican Governor Rick Perry. A senior education advisor to the Governor has been named the Chief Deputy Commissioner of Education, a temporary position which will expire after a permanent commissioner has been appointed.

In spite of budget cuts elsewhere, K-12 education would increase by \$1.2 billion to \$30 billion over the two-year biennium. Over 100 TEA officials will be laid off at the end of the Texas fiscal year which is August 31. The legislature approved a new science initiative which will include a new curriculum and research-based scientifically-based instructional materials.

Scores on the new Texas Assessment of Knowledge and Skills (TAKS) this past Spring exceeded official expectations. Third-grade students did best with about 95 percent passing the test that was required for promotion. The 12,000 students who failed could be held back in the third grade, although parent appeals could reduce this number. The failure rate contrasts with a grade retention rate of 2.5 percent in 2000-01 (the last year data were available). It is noteworthy that, of the 10,217 students who took the third test administration this summer, less than half were able to pass.

The State has been replacing the 12-year-old Texas Assessment of Academic Skills (TAAS) with the TAKS in grades 3-11. The new TAKS exams are harder than the TAAS tests and, particularly at the high school level, cover a broader range of subjects and more complex questions. In high school, the TAAS was administered only in tenth grade. The new TAKS will be given in the ninth, tenth, and eleventh grades, with the eleventh grade test a requirement for graduation.

In July, the Texas Education Agency copyrighted the Texas Assessment of Knowledge and Skills with the intent to market the battery of exams to states seeking to meet the requirements of the No Child Left Behind Act and to private businesses.

A recent study of the growth of broad band in Texas communities has found that the percent of state zip codes which did not have broadband access in January 2000 was 45 percent compared to only 18 percent two years later. The study also found that high speed broadband services was being deployed faster in minority-dominant neighborhoods than in other areas. However, in rural areas SBC communications has deployed broadband in only about 20 percent of its rural exchanges. Satellite broadband is available statewide but costs up to \$70 a month.

The Texas Education Agency has revised the overall results of the tenth grade math test given this Spring after it was found that one item could have had several correct answers. Almost two percent more of the State's tenth graders (about 4,600 students), were awarded credit and passed the test.

The Texas Education Agency has suspended the "acceptable" accountability rating given to Houston Independent School District because of inaccurate dropout records. Thirteen Houston schools also had their ratings reduced.

Utah Update - August 2003

In June, the Utah legislature passed its omnibus education bill (S.B. 154) which addressed a number of issues of possible relevance to TechMIS subscribers. The most significant section of the Law requires the State to establish rigorous competency-based graduation requirements beginning no later than the Class of 2007. As reported in Phi Delta Kappan, the new requirements must: (a) use competency-based standards and assessments; (b) include instruction in financial literacy; and (c) raise existing graduation requirements. Local school boards must also use progress-based assessments to identify schools, teachers, and students needing remediation and to determine the nature and cost of such remediation.

Vermont Update - August 2003

According to School Reform News, several bills have been introduced in the state legislature to expand choice. One bill would provide vouchers to parents to send their special education students to attend other public or independent schools while another would create charter schools. The Public School Choice initiative would require districts to pay 90 percent of their state funding to follow the child as parents send their children to other public schools. The other bills would provide tax credits to support choice.

On June 9, the U.S. Department of Education announced that Vermont had become the 30th state or territory to gain approval for its accountability plan under the No Child Left Behind Act.

The Vermont K-12 budget will increase 3.6 percent to \$915 million. The legislature adopted a resolution that no State funds could be used to fulfill the No Child Left Behind mandates. Ex-Vermont Governor Howard Dean refused to accept Federal funds rather than implement the assessment and other provisions of the new Law.

Washington Update - August 2003

In late April, the U.S. Department of Education has approved Washington's state accountability plan under the No Child Left Behind Act. Washington is the 16th state to be approved.

The new K-12 budget represents a 2.2 percent increase to \$10.5 billion over the two-year biennium for K-12 education. Almost \$30 million more will be allocated for teacher salary increases. Several proposed initiatives were not funded, including an assessment of student listening skills and alternative routes for certifying teachers. While voters approved two other initiatives, including a \$287 million program to promote student achievement, the legislature did not support that nor another initiative to increase teacher salaries by \$191 million.

West Virginia Update - August 2003

The State is considering a plan to regulate the activities of community groups that use school facilities. The plan is in response to a complaint about an anti-bullying program lodged by a conservative Christian group. Community groups may have to complete an “educational impact form” before being approved for school use. Critics of the plan say it will reduce community and parental involvement.