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Two Recent Reports Call For Increased Funding For Remediation for Students Failing or At-Risk of Failing High Stake State Assessments

Coming from different perspectives, reports from two separate organizations call for Federal and state policy makers to place a higher priority upon the use of effective interventions, remediation strategies, and teacher supports to help students pass state high-stakes tests. A draft report from the U.S. Commission on Civil Rights argues that, "All students must have an equal opportunity to learn the tested curriculum. To achieve this, however, minority and disadvantaged students must not be deprived of a rich, well-rounded curriculum." In most states, lawsuits have been filed against states for not providing equal "opportunities to learn" for all students, as reflected in inequities in state financial aid to wealthy vs. poor districts. The non-partisan Center for Education Policy, in its recent third annual report on exit exams, cites numerous recent studies which demonstrate that appropriate interventions and remediation strategies have been effective in increasing the number of students who pass exit exams across states. In the long run, remediation increases graduation rates.

Nineteen of the twenty-five states that have, or are phasing in, exit exams, the passage of which is perhaps the single most important criterion for awarding high school diplomas to students. Such exit exams are also used in 19 of the 25 states to determine whether schools and districts meet state AYP criteria under the No Child Left Behind Act. By 2009, these 25 states will have 70 percent of the nation's public school students and 80 percent of its minority students. The survey of states conducted by CEP also includes interesting findings which suggest good business opportunities for firms.

Definite opportunities exist for online assessments. In addition to opportunities in the area of alternative assessments for cognitively-impaired special education students, there appear to be growing opportunities in test retaking by students who fail initially to pass exit exams. All 25 states allow test retaking, with most allowing test retakes between four and an unlimited number of times. In most states, the initial pass rate is between 65 and 85 percent. Among minority and other subgroups, the achievement gaps may be as great as 40 percent behind white and Asian subgroups. As the CEP report notes, 15 of 25 states with exit exams release test questions and answers from past tests to teachers and students.

In addition, CEP found, "….only five states report they are developing or using diagnostic or formative evaluations to identify students at risk of failing exit exam, yet these kinds of evaluations can

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help reduce failure." As the CEP report notes, the majority of states have conducted studies on the alignment of their exit exam with state content standards, although the majority of states have not conducted studies "to determine whether schools are actually teaching the knowledge and skills being assessed by state exams, even though research has shown that teachers' coverage in the classroom of content in state standards is clearly linked to improved student achievement." The U.S. Commission on Civil Rights goes even further recommending, "State and local education agencies should work to ensure that the curricula are aligned with the standardized tests in order to ensure they are properly measuring student achievement." The USED Title I longitudinal survey, conducted in the late 1990s, found that there was a high correlation (if not causal effect) between increased reading achievement and the degree to which teachers reported they actually covered the content which was included in the states' assessment domains. Several years ago, Dr. Andrew Porter, while at the University of Wisconsin, found that in most states most teachers reported they covered less than ten percent of the content and skills to be assessed. The Wisconsin Center for Education Research at the University of Wisconsin has recently pilot-tested the Treatment Integrity Planning Protocol (TIPP) which teachers can use to evaluate the implementation process recommended by developers of particular interventions.

The CEP survey of SEAs also provides some useful insights on how states are providing teacher support and student remediation. In the area of teacher professional development, CEP asked states whether teacher training included how to teach test-taking skills and how to interpret test results. Seven states (Alabama, Louisiana, Mississippi, Ohio, Tennessee, Utah, and Virginia) indicated they did. Eleven states indicated they had not established such professional development programs, including Alaska, Arizona, Florida, Georgia, Idaho, Massachusetts, Minnesota, Nevada, New Mexico, South Carolina, and Texas. Nineteen of 25 states indicated they provided information guides or related exam materials for teachers. Nine states provided teachers with curriculum guides based upon exams, while eight states provided lesson plans to assist in test preparation. Maryland has developed an online instructional program to assist teachers in the alignment of curriculum. States were also asked whether they had developed afterschool tutorial programs, weekend tutorial programs, computer-based programs, study guides for students, summer school programs, or any other programs or materials to help students to prepare for or retake tests. Six states (Louisiana, Massachusetts, Mississippi, Texas, Utah, and Virginia) reportedly have computer-based programs. Massachusetts, Mississippi, North Carolina, and Washington have developed student remediation materials, including sample student work, web tutorials, student handbooks, and practice tests, which Virginia also offers. Fourteen states indicated they had not developed materials or did not respond to the question.

Two responding states (Minnesota and New Mexico), reported that their exit exams were not aligned with state standards but rather with minimum competencies. In the remaining states, the grade level standards to which their exit exams are aligned vary widely. For example, California and Utah reported that math tests are aligned to grades 6-8 and 6-9 respectively. The majority of states said their exit exams are aligned to grade 10 or 11 standards. This wide variation could explain many of the differences among the states in student pass rates. In Maryland and Virginia, exit exams are aligned with content standards for particular courses. In most of the states (except North Carolina and New York), tests were developed either by the state in collaboration with a test publishing company (17 states) or a testing company that customized the test to state standards (four states).

The CEP survey also asked states how much targeted funding they commit to remediation for students who initially fail the exam. Figures ranged from zero in Alaska, Tennessee, and Washington to millions in states like Louisiana, Ohio, Indiana, and Massachusetts. The results are somewhat misleading because, in some states, funds from other programs can be used for remediation even though they are not specifically targeted for students who fail the exam. These states include California, Georgia, Maryland, New York, North Carolina, and Texas. While some states, such as Ohio, plan to increase funds targeted specifically for students failing exit exams initially, in other states, such as Massachusetts, the targeted remediation program has been cut from $50 million to $10 million and is limited only to juniors and seniors. On the other hand, two years ago Massachusetts allocated in state funds slightly over $5,000 per student from low-income families. In all but seven of the 25 states, the SEA requires districts to provide remediation even where no state funds exist; but only four states require students to attend remediation.

While the CEP report addressed the relationship between NCLB testing and AYP mandates and state exit exams, the U.S. Commission on Civil Rights report focused almost entirely upon recommended changes in NCLB. For example, it recommended that "Tests used to measure student learning must accurately measure not only the learning, but also the specific areas of deficiencies of all students, including those with limited English proficiency and disabilities." In an earlier report, the Commission argued that the "deficiencies" or learning "needs" should be specific to an individual student with disabilities and should not assume that all children within one of the thirteen disability categories have similar needs. This could pave the way for increasing the one percent cap on students who are proficient on alternative tests. Going beyond its recommendation in an earlier report that USED and states should ensure that all students receiving supplemental education services have their "civil rights" protected, in its recent report, the Commission recommends, "In order to demonstrate the effectiveness of offering supplemental services, there must be some empirical evidence that the service will help poorly performing student schools before it is a mandated remedy

for all failing schools….the provision of supplemental education should first be implemented in a series of field trials in a way that does not interrupt other remediation efforts." Provisions in the Law currently allow states to approve a supplemental education service provider even though its approach has not met the Federal definition of being based on scientifically-based research.

For a copy of the CEP report go to http://www.cep-dc.org/highschoolexit/ExitExamAug2004/ExitExam2004.pdf.
For a copy of the U.S. Commission on Civil Rights Report go to www.usccr.gov/pubs/educ/educ0704.pdf
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New Guide for Rural Districts On Implementation of NCLB Provisions Strongly Urges the Use of Distance Learning

A new guide, published by the Center for Policy Studies in Rural Education, strongly encourages rural districts to consider distance learning and online delivery of instruction, assessment, and teacher training as an alternative means of meeting several NCLB mandates, particularly choice and supplemental education services. The National Association of State Boards of Education and ASA worked with the Center in preparing the guide. Over a year ago, AASA published a report identifying the major problems rural districts were having in implementing NCLB and encouraged such districts to consider using technology to solve or reduce some of their problems.

The guide urges rural districts to develop "data systems accessible to all teachers and principals to allow them to deal with the growing influx of student data, including assessment scores…It is important to have something in place to help staff interpret the results and translate them into changes in instructional practices."

The guide refers to the AASA "resource page to data-driven decision-making" (www.aasa.org/cas/index) and provides tips on how to establish a data system for little cost.

Perhaps the biggest opportunity for distance education is in the area of supplemental education services, where the only alternative may be online-provided services. As the guide notes, "These entities (online supplemental service providers) may offer the greatest possibility of offering supplemental services in places without actual providers such as rural areas." On the other hand, the guide cautions that issues and problems may be great unless they are resolved up front through careful planning. The guide suggests that rural districts having to provide supplemental education services consider requiring online providers to specify:

- "Minimum on-site technical requirements, hardware, band width, etc. that are necessary;
- The mechanism for providing on-site orientation to the school, staff, students, and parents; and

- The mechanism for providing on-site technical support to students."

In a similar vein, the guide also suggests that in situations where public school choice is limited or not an option for a rural district with perhaps only one school, "they should offer students the option of supplemental services if available or work with parents to provide any additional help for those students in need." Where regional education agencies or BOCES-type intermediate units have been approved as supplemental education service providers, opportunities for online supplemental service providers exist through partnership relationships where the intermediate unit is responsible primarily for marketing, logistics, and administrative reporting, while the online provider is the primary means for delivering instructional services and tutoring. The number of such relationships appear to be growing.

The guide also recommends certain rural districts consider a number of alternative funding sources for purchasing technology. For example, it points out the significant funding flexibility under the Rural Education Achievement Program (REAP), suggesting that these funds be used to expand or upgrade technology. Another potential funding source is the formula component of Title II D/E2T2. The guide notes that many small districts never received funds under its predecessor, Technology Literacy Challenge Fund; it states, "However, with the new change in formula to flow through the states, 50 percent formula grant, 50 percent competitive grant, most rural districts are receiving education technology dollars for the first time." And the last potential funding source is under the 50 percent transferability provision. The earlier AASA report found many rural districts appear to be transferring funds out of other Titles into Title II D to complement the infrastructure they have in place which has been funded through e-rate discounts.

In short, online-delivered instruction, as well as staff development, may provide the best alternative for many rural districts facing sanctions under NCLB. As in the recent past, where USED provided waivers under the highly-qualified teachers requirements and exceptions for a "one percent proficiency cap," additional policy changes can be expected in the future for rural districts, allowing them to reallocate NCLB and other funds to pay for many of these options. A copy of the guide, which also includes the Law, Regulations, and Non-Regulatory Guidance for critical NCLB provisions, is available from the National Association of State Boards of Education by going to www.nasbe.org.

National File Format Technical Panel Recommends Technical Specifications for Voluntary National Instructional Materials Accessibility Standard (NIMAS) Which is Designed to Facilitate the Provision of Accessible Alternative Electronic Format Versions of Print Textbooks to PreK-12 Students With Disabilities

The National File Format Technical Panel has recommended technical specifications which are designed to facilitate conversion of textbooks to an electronic format to provide easy access, particularly for students with sight impairments. Funded by USED and convened by the Center for Applied Special Technology (CAST), which is headed by David Rose (see June Washington Update item), CAST worked with a 40-member panel representing educators, publishers, technical specialists, and advocacy groups in November 2002. After three public meetings in January-June 2003, the group achieved consensus on a number of recommendations, including:

- That an application of the ANSI/NISO Z39.86 standard be identified as NIMAS version 1.0;
- To facilitate the creation of text equivalents; textbook publishers would also provide PDF files containing embedded images;
- A two-year "phase I" of the NIMAS specification and the creation of a committee which, among other tasks, will design a research agenda to investigate the pedagogical efficacy of the increased availability of accessible learning materials;
- To actively consider alternative content distribution models (Voluntary, Mandated, Free Market) that will effectively extend the availability of accessible alternative versions of textbooks to all students with disabilities and simultaneously ensure compensation to intellectual property holders and content developers.

The panel unanimously agreed that the adoption of NIMAS version 1.0 standard would be the first step toward ensuring accessible textbooks for all students.

As reported in eSchool News, Arizona, Kentucky, New Mexico and New York have already passed laws that require publishers to provide electronic versions of textbooks in the format which USED endorses and 26 states have passed accessible textbook legislation which require electronic versions of textbooks in a variety of formats.

The implications for publishers of textbooks are severalfold. First, if the states agree to adopt NIMAS standards, publishers would not have to provide different electronic versions for each of the states as is now the case. Second, by adopting the standard, publishers are more likely to be able to provide

textbooks in an electronic format at the same time print textbooks are provided to states and/or districts which purchase them. Third, while the panel recommended that publishers and content owners copyrights be protected, it is not clear how copyright protection will be ensured and enforced. The panel's recommendation comes at a time when the Senate version of IDEA reauthorization goes even further than NIMAS standards, by calling for developers to ensure that "universal design principles" are adhered to during the initial development of software and related multi-media products, as discussed in the above referenced June 2004 Washington Update. For a copy of the NIMAS standard and panel recommendations go to www.cast.org/NCAC/NFF.

Education Associations Plan to Sue the Federal Centers for Medicare and Medicaid Services for Violation of the Social Security Act (As Amended in 1988) For Failing to Give Districts the Appropriate Level of Medicaid Reimbursements for Providing Related Services to Eligible Special Education Students

The American Association of School Administrators and National School Boards Association are hoping to find additional plaintiffs to join the Mobile County, Alabama school district in filing a lawsuit against the Centers for Medicare and Medicaid Services (CMS) within the Department of Health and Human Services for failing to reimburse districts what they claim they are entitled to under the Social Security Act for providing administrative and related services for Medicaid-eligible special education students. Over the last few years, as much as $4 billion has been available for such reimbursements. However, not all districts have filed for such reimbursements because of paperwork and changing guidelines annually from the Centers for Medicare and Medicaid services. And, more and more districts which do file claims for reimbursements argue that the CMS is refusing to reimburse claims to their full extent for administrative costs, such as developing and monitoring IEPs, and related services provided by support staff.

Knowledgeable association officials are seeking additional districts, states, and even private firms in the Medicaid/Child Health Insurance Program (CHIP) reimbursement business to join the lawsuit by contributing to an NSBA/AASA joint fund which would pay the prestigious Washington law firm of Covington and Burling approximately $250,000 to file the lawsuit and work the case. An Education Daily (July 20) article indicated that districts in North Carolina, California, and Florida are likely to join the lawsuit. One of the major fears by most of the plaintiffs is that their districts' claims are almost certainly to be audited by CMS auditors. The Mobile County school district, which has agreed to be the lead plaintiff, received $800,000 in Medicaid reimbursement last year according to

Education Daily, but only $340,000 for this fiscal year.

Firms which sell IEP development and monitoring systems, as well as Medicaid/Child Health Insurance Program reimbursement software and services, should follow this potential lawsuit closely and provide support -- financial or otherwise -- to increase the momentum behind this effort. Association officials are looking for additional districts which are angry with CMS and are willing to join as a plaintiff in the upcoming lawsuit. CHIP reimbursement funds can be used for purchases of technology primarily in special education. For example, the TURNKEY Survey of Special Education Use of Technology and Expenditures found that four percent of all software purchased in 2001 used CHIP reimbursement funds. For more information about the planned lawsuit and joint NSBA/AASA fund to cover its cost, contact Bruce Hunter at AASA (703/875-0738), and mention Blaschke's or TURNKEY's name.

The Future of Qualified Zone Academy Bonds (QZAB) As A Source of Funding for Hardware, Software, and Curriculum Upgrades Is Uncertain Pending House and Senate Negotiated Agreement

One of the least known and understood funding sources for hardware, software, and even infrastructure technology purchases has been the QZAB bonding authority provided by states to districts in high-poverty areas. Both the Senate-passed S. 1637 and House-approved HR. 4520 would extend funding at approximately $400 million in new bonding authority through calendar years 2004 and 2005. Even though the QZAB program expired December 31, 2003, if a compromise bill is passed, funds for $400 million for 2004 would be retroactive to the beginning of this year.

Even if the $400 million is approved and made retroactive, there is a significant difference between the two bills which has implications for technology vendors. The Senate version would allow, for the first time, the 10-15-year interest-free bonding authority funds allocated to a district to be used for school construction and land acquisition for which district priority could be high. The House version would continue to allow such bonding authority to be used to purchase software, computers, and technology infrastructure along with rehabilitation of buildings, but not construction.

As a funding source for school purchases of technology, QZAB operates differently from Federal education grant programs. In the past, each state has gotten a portion of the $400 million of bonding authority which is usually handled by the state education agency or the state treasurer's office. Districts with high rates of poverty can apply for no interest, 10-15 year loans for eligible schools. For a variety of bureaucratic and taxation issues, in a number of states there is a large balance of "unrequested" bonding authority funds. Most districts are not aware of the program and have to

be told that such opportunities may exist. Some states, such as Texas and California, have supported the use of such bonding authority funds to be used to purchase technology. For example, the Ysleta Independent School District in Texas used QZAB loan funds to pay for $6 million worth of computers and software for eligible schools several years ago. Other states, such as Maryland, approve applications which are generally designed to renovate schools.

If the Senate and House arrive at a compromise which is closer to the House version in terms of allowable uses of such funds, and if $400 million is authorized to be retroactive, then districts ought to be advised to check with the state QZAB office to see if any funds, including unspent funds from 2003, would be available in the form of loans. Any TechMIS subscriber who is interested in more detailed information about the QZAB program should contact Charles Blaschke directly.

House Appropriation Committee Markup Would Reduce Title II D Education Technology Grant Program From $695 Million to $605 Million and Terminate Star Schools and Community Technology Centers Funding

The proposed reduction of the Title II D E2T2 funding by $91 million and the elimination of Community Technology Centers ($10 million this year) and Star Schools ($20.5 million this year) should not come as a surprise to anyone who has followed this Administration's low priority placed upon instructional technology. On the other hand, the House bill does include a new initiative, funded at $30 million, to help states build or purchase data warehousing, student data management, and student tracking systems which fits in more closely with the Administration's high priority placed on data-driven-decision-making.

One of the reasons why the E2T2 budget was cut was the lack of "scientifically-based research" which proves instructional technology is effective in increasing student reading and math scores. Given the Administration's mindset that anything purchased with Federal money has to result in improved student reading and math performance, the $15 million evaluation project called for by Congress three years ago is only this month being implemented with pretesting of students assigned to technology interventions which have been supplied by selected companies. Even if the Senate were able to restore the House cuts in the E2T2 program, when the results become available next year after the spring post-test scores are analyzed, the results are very likely to be much lower than if the evaluation were extended for two or three years. As the University of Michigan's, Dr. James Kulick has noted in recent meta-analyses of integrated learning systems, many of the achievement differences among different school users of the same instructional system can be attributed primarily to implementation variables (i.e., did the school implement the system in the way recommended by the

developer?). Overcoming these implementation variables in several months prior to the operational program and during the nine month project will be extremely difficult. By limiting the performance measures to reading and math scores only, some other uses of technology which are designed to improve working conditions, reduce paperwork, and otherwise increase staff productivity were not solicited.

The pressures to reduce funding for its predecessor, Technology Innovative Grant Program and Technology Literacy Challenge Funds (now Title II D), began before NCLB was enacted. Administration officials told education technology advocacy groups such as ISTE, COSN, and SIIA that they would attempt to ensure that total technology funds would be increased from $830 million to $1 billion if they supported conversion of the antecedent programs to a new technology "block grant" program, which finally passed. During hearings about the proposed consolidation, Senator Tom Harkin, Ranking Democrat on the Appropriations Committee, reminded officials from these organizations that giving greater flexibility to states and the opportunity for states and districts to transfer up to 50 percent of Title II D funds (particularly the state formula flow through to districts), could result in even less money being used for technology development and purchases. Instead of getting a $1 billion appropriation, the total amount of funding for technology was actually reduced by over $100 million.

The newly-created joint venture Ed Tech Action Network, an online advocacy campaign to support technology funded backed by ISTE and COSN, will have its work cut out for it in restoring the House cuts or even increasing total funding within the Title II D program. The formal appropriations process has yet to occur in the Senate, which in the past has been a much stronger supporter of technology appropriations than the House. The technology advocacy groups have agreed to convene a lobbying effort, headed by the Ed Tech Action Network, on September 9 when Congress returns from its August recess. For more information about the lobbying effort of Ed Tech Action Network website, go to www.edtechactionnetwork.org.

ISTE and Vantage Learning, Inc. Developing Eighth Grade Technology Literacy Assessment Instrument for National Use in 2005-06 School Year

Recognized as the leading education association supporting technology literacy standards for teachers and students, ISTE has entered into a partnership with Vantage Learning and the International Computer Drivers License - US Company (ICDL-US) to pilot test this school year, and implement during the next school year, a "software neutral" instrument which will be available to districts for a fee. Under another partnership, Microsoft and ISTE have developed some basic assessment tools that use Microsoft software. However, as reported in Education

Technology News (August 2004), "The assessment will combine knowledge-based, performance-based, and open-ended question formats to give the new assessment tool a definable advantage vs. any other test format available, its makers contend."

Even though NCLB authors included a mandate that all eighth grade students be proficient in technology literacy, USED has placed a much lower priority on this technology literacy proficiency mandate than the mandate in math and reading. In fact, in the first set of 2002 guidelines to states in submitting their "consolidated applications" for the first year of funding under NCLB, USED guidance told states they would not have to report the number of eighth grade students who achieved proficiency levels in technology literacy. The May 2002 guidance also told states they would not have to report on the growth of the number of students who had classroom access to Internet nor the number of teachers who were proficient in "technology integration into the curriculum." As Don Knezek, CEO of ISTE has stated on numerous occasions, if a state does not have to report on progress being made in a specific area then resources will be allocated elsewhere to higher priorities. As a result, ISTE has taken a leadership role in promoting technology literacy.

Knezek confirmed that 48 states are currently using one or more levels of the NETS standards for students and/or staff and that the field test is likely to begin in January 2005. He invited districts who are interested in participating to contact his office at 202/861-7777 (contact Mila Thomas at mthomas@iste.org). In addition to the national U.S. roll-out, a number of ISTE affiliates in other countries have expressed interest which is one of the primary reasons why ICDL-US is actively participating; it provided some up-front funding is because it could offer the assessment online, beyond US boundaries.

Knezek has also encouraged private firms with vested interests in the NCLB technology literacy mandates to assist in generating more support for technology at state levels, even though the USED reporting requirements are minimal. In addition to SEAs, support for state technology literacy initiatives among legislatures has to be generated. For example, in Texas, even though "technology applications" have been included as a component in the instructional materials adoption process, the State legislature has been hesitant to provide funding. This has resulted in only a small number of districts selecting and purchasing materials under the assumption there would be state funding during the 2004-05 school year.

New NCES Issue Brief Reports That Less than Three Percent of Elementary Teachers Are "Reading Specialists"

Using 1999-2000 NCES School and Staffing Survey (SASS) data, a new Issue Brief from NCES found that in 1999-2000, only 29,000 public elementary teachers had main assignments in reading (i.e., reading specialists), while one million public

school teachers had main assignments as general elementary teachers. Another 32,000 teachers taught at least one class in reading but did not report a main assignment in reading.

Only 74 percent of reading specialists described themselves as regular, full-time teachers in 1999-2000, compared with 96 percent or more of "other reading teachers" and general elementary teachers. Eleven percent of reading specialists were regular part-time teachers while six percent were itinerant teachers and eight percent described themselves as "other professional staff."

While Federal legislation over the last decade has encouraged greater "inclusion" for special education students and fewer "pull-out" classes in Title I, NCES reported that, in 1999-2000, about three out of four reading specialists taught pull-out classes where students were excused from their regular classes for sessions of reading instruction. Only six percent participate in team teaching arrangements in which they collaborated with other teachers in teaching multiple subjects to the same classroom of students. Many recent reports argue that one of the best, and possibly the only, alternative for ensuring that special education teachers meet the content certification requirements in NCLB, is co-teaching or team teaching.

The NCES report also compared the education preparation for reading specialists vs. other reading teachers and/or general elementary teachers. For example, 63 percent of elementary reading specialists have a Master's degree compared with 40 percent of general elementary teachers; 36 percent of reading specialists have majored in reading at the post-secondary level compared with only five percent of general elementary teachers. The report also notes that over 70 percent of teachers with main assignments to special education programs held both a major and certification in special education, while only 32 percent of reading specialists had both a major and certification in reading.

During the first two years of NCLB implementation for both Title I and Reading First programs, about 10,000 reading coaches or literacy coaches have been "designated" or employed by districts. While this could certainly increase the number of reading specialists, it still represents less than five percent of the elementary school teacher cohort. Whether these are reading specialists who have been renamed and hired as reading coaches is unclear.

The NCES Brief notes that it plans to conduct another analysis of the SASS data to examine the extent to which reading specialists are employed in Title I or other schools with expected high need for specialized reading instruction. For a copy of the issue brief go to http://nces.ed.gov/pubs2004/2004034.pdf.

Momentum Builds For Reauthorization of New Perkins Vocational and Technical Education This Year

Of all of the pending reauthorizations -- including IDEA, Head Start, and others -- the likelihood that a new Perkins Vocational and Technical Education bill being reauthorized this Congressional session, or during a lame duck session, appears to be highest. According to one "insider" on Capitol Hill, this Congress does not want to be labeled as a "do-nothing Congress"; another reason is that the differences between the House and Senate versions are minimal. While both versions would place a higher priority on technology as an "object of instruction" (i.e., technology literacy), the Senate version calls for greater use of technology actually to deliver instruction.

Currently funded at slightly over $1 billion, the Perkins Vocational Education program represents, in certain states, a large portion of total vocational education expenditures; over 60 percent of public secondary schools provide one or more vocational and technical education programs, with over 95 percent of high school students taking at least one vocational and technical course during their secondary studies. In addition, more than 2,600 postsecondary community colleges, technical institutes, etc. offer vocational and technical education programs.

Earlier this year, the President's budget proposed to earmark all Perkins' funds going to secondary schools for Title I-type basic skill remedial programs, with the majority of funding for technical education going to community colleges. While USED more or less retracted the proposal, both the House and Senate versions would reflect an increased priority and greater funding for academic improvement and accountability along the lines of NCLB. Both versions would also increase coordination between secondary and post-secondary vocational and technical education institutions through the creation of "model sequences of courses" which would include rigorous academic and vocational content and which would lead to a recognized degree or credential. The House version, HR. 4496, would:

- Emphasize math and science education that incorporates the use of technology;
- Permit states to award incentive grants to local recipients for exemplary performance and also allow states to apply sanctions to districts failing to show improvement within one year of implementing an improvement plan or fail to meet local adjusted levels of performance for two or more consecutive years;
- Combine the Perkins state grant and tech-prep programs into one program that incorporates the activities of tech-prep;
- Ensure that states are not required to use only Federally-

approved or certified content or curriculum; and

- Ensure that vocational and technical education teachers meet teacher certification and licensing requirements, especially in core academic subjects.

One major difference between the Senate and House version is that the Senate version maintains the tech-prep component as a separate entity. In addition, S. 2650 would:

- Provide funding for research on career and technical education needs generally and identify opportunities where education technology and distance learning approaches and strategies are effective with respect to career and technical education;

- Provide state-of-the-art technology to be used in professional development/teacher training; and

- Provide career and technical education students with academic career and technical knowledge and skills that lead to entry into the high technology and telecommunications field and encourage schools to work with high technology industries to offer voluntary internships and mentoring programs.

The Senate version was introduced by Senator Jeff Bingaman (D-NM) who, over the last decade and a half, has been a major proponent for technology use to deliver instruction and technology-related professional development for teachers.

Both versions reflect some of the findings of the National Assessment of Vocational Education recently submitted to Congress. One finding was that students who take both "a strong academic curriculum and a vocational program of study --- still only 13 percent of high school graduates --- may have better outcomes than those who pursue one or the other." However, as the report notes, "While positive change is certainly happening at the high school level, secondary vocational education itself is not likely to be a widely effective strategy for improving academic achievement or college attendance without substantial modifications to policy, curriculum, and teacher training. The current legislative approach of encouraging 'integration' as a way to move secondary vocational education toward supporting academics has been slow to produce significant reforms." Even though both versions place a higher priority on academic achievement through accountability (including both incentives and sanctions), likely changes under this reauthorization will be small compared to the envisioned high school reform initiatives (which President Bush noted in his August 21 radio address) which will become a much higher priority under the Bush Administration if the President and his supporters in Congress prevail in the November elections.

FCC Formally Adopts Rules To Safeguard E-Rate Program From Waste, Fraud, and Abuse

On August 4, the FCC formally adopted measures that attempt to address issues arising from audit activities which had been the subject of recent Congressional hearings. According to the FCC press release, the Fifth Report adopted by the FCC does the following:

- sets forth a framework regarding the amount of E-rate discounts which should be recovered when funds have been disbursed in violation of specific statutory provisions and Commission rules;

- allows audits and other investigations to be conducted within five years of receipt of supported services and requires beneficiaries and service providers to maintain all documents to demonstrate compliance with program requirements for five years;

- eliminates the current option allowing recipients to offset amounts disbursed in violation of a statute or rule against other funding commitments;

- requires applicants to develop a technology plan consistent with USED and USAC guidelines for technology plan content; and

- provides for new certifications that applications will have to make as a prerequisite to receiving E-rate discounts.

Some of the above rules, formally adopted by the FCC, have been in place as the result of SLD/USAC rules previously announced. Most experts believe that these formally adopted measures will "tighten" the safeguards against fraud, waste, and abuse in the E-rate program.

One effect of these rules will be the requirement that applicants increase their documentation and retention of records that could be used in future audit investigation actions by the FCC and/or USAC/SLD. Another consequence, particularly in rural districts, will be that Title II D formula funds flowing to districts will likely be used for technology. Increasingly, Title II D funds are being used to purchase non-eligible E-rate products and services such as instructional software, staff development, and instructional computers that the local districts use as "matching funds" to receive the E-rate discount. One of the other reasons for using Title IID formula funds as a "match" is that such funds have two years to be obligated, rather than twelve months if local funds are used for the "match." The E-rate program has a history of taking more than 12 months, in many cases, for the SLD/USAC approval and disbursement process to occur.

As e School News (August 9) article reports, most of the FCC members had high praise for the E-rate program in spite of widely-reported examples of fraud and abuse that were reiterated in

recent Congressional hearings. Even though the E-rate program has a low priority in this Administration, it enjoys strong bipartisan support among leaders such as Senator John McCain, whose initial criticism of the program in the late 1990s has made a "180 degree" turn and who has become a "protector" of the program.

New NCES Issue Brief Finds 2.2 Percent of School-age Students are Homeschooled, Up From 1.7 Percent in 1999

The new NCES Issue Brief entitled, "1.1 Million Homeschooled Schools in the United States in 2003" estimates that 2.2 percent of school-age students are homeschooled up from 1.7 percent in 1999. This growth does not include students who are homeschooled but still receive 25 percent or more of their instruction from public schools. Also, students who were schooled at home only because of a temporary illness were not included as homeschoolers.

The NCES survey identified the primary reasons parents reported were homeschooling their children. Approximately 31 percent of the parents of homeschoolers said the most important was concern about the environment of public and other schools available to them. Another 30 percent said the most important reason was to provide religious or moral character building instruction. About 16 percent of parents of homeschooled students said the primary reason for not allowing their student to attend public or other institutional schools was dissatisfaction with academic instruction available in these external schools.

The data collected by NCES will continue to be analyzed and reported. For example, an upcoming report will compare the characteristics of homeschooled students to those of public school and private school students and to see how homeschooling rates may have changed between 1999 and 2003 for different segments of the population. For a copy of the NCES Brief, go to http://nces.ed.gov/pubs2004/2004115.pdf.