

## Alabama Update - September 2004

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Tax collections which support the Alabama Education Trust fund have increased almost nine percent over the last eleven months with tax collections for August 2003 being surpassed by almost 25 percent this August. In the last fiscal year, the State cut almost \$100 million from its K-12 budget. Some of the tax surplus has been budgeted for this coming school year and some will be put into a rainy day fund, according to Education Week (September 8). It is expected that new funding will include \$15 million more for the State's Reading Initiative and nearly \$15 million more for the Math, Science and Technology Initiative (up from \$237,000 last year).

The Alabama SEA has awarded a competitive contract for almost \$90,000 to Think Link to provide benchmark assessments in the Fall, Winter, and Spring for at-risk students in low-performing schools, including those identified for improvement under NCLB. Think Link would provide reports directly to teachers of the at-risk students. The SEA apparently feels that approximately 10,000 students would be involved. The price offered by Think Link was about \$9.00 per student.

As reported by the Center on Education Policy, Alabama students have four opportunities to retake the State exit exam by the end of the twelfth grade. There are no limits on the number of times the students can retake the exam beyond the twelfth grade. Districts are required to provide remediation; the State provides only teacher training, not remediation materials.

## Arizona Update - September 2004

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More than two-thirds of Arizona's eleventh grade students failed the Arizona Instrument to Measure Standards (AIMS) exam. About 65,000 of this year's high school juniors will be required to pass the assessment if they are to receive their high school diplomas in 2006. State Superintendent, Tom Horne, has asked for \$5 million in additional State funds to pay for extra classes, as well as after-school and summer programs to help these students. To date, the legislature has allocated only \$500,000 for this purpose.

Education Daily reports that 82 percent of Arizona's public schools made adequate yearly progress (AYP) last year, an improvement from 76 percent the prior year. On the other hand, more than 60 percent of Arizona's tenth graders failed the AIMS which will be a graduation requirement for the Class of 2006. Moreover, the number of school districts and charter school authorizers that failed to make AYP grew from 193 to 208 last year.

Twenty schools in Arizona have failed to make AYP for four consecutive years; these schools could be required to change their curriculum or replace staff. The following schools fall in this category:

<u>District</u>	<u>School</u>
Dysart	El Mirage Elementary
Glendale	Glendale Landmark Middle
Isaac	Pueblo del Sol Middle
Casa Grande	Casa Grande Union High
Chinle	Tsaile Elementary
	Chinle Junior High
	Chinle High
Coolidge	Hohokam Middle
Kayenta	Kayenta Middle
Sacaton	Sacaton Elementary
San Carlos	San Carlos Junior High
	San Carlos High
Sanders	Valley High
Stanfield	Stanfield Elementary
Superior	Superior Junior High
Tuba City	Tuba City Junior High
Whiteriver	Canyon Day Junior High

Window Rock  
Yuma

Tse Ho Tso Intermediate  
Fourth Avenue Junior High

Arizona plans to redirect \$4.5 million toward helping students who have not passed the AIMS test which will be a graduation requirement for the Class of 2006. It is estimated that it will take twice that amount to ensure that enough tutoring is available to get this year's juniors through graduation. More than two-thirds of the State's eleventh graders failed the AIMS the first time they took it last Spring; they will have up to four more chances to pass any of the tests three sections -- reading, mathematics, and writing. Currently, there are 81 Arizona schools that listed for the first time as under-performing.

The Center on Education Policy reports that the State requires districts to provide remediation services for students who do not pass the State exit exam, although students are not required to attend the remedial program. The State has supported programs to help teachers to administer the exit exam and to teach test-taking skills and interpreting test results. According to the Center for Education Policy (CEP), the SEA does not require districts to provide remediation services for students who have not passed the State exit exam and does not target funds for remediation of students who fail the exam. Nor has it developed remediation programs or materials to help students prepare for exams.

## **Arkansas Update - September 2004**

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The Arkansas legislature has appropriated an additional \$40 million this year (beyond the \$13 million originally allocated) for preschool program specifically targeted at low-income families. The State is currently publicizing the program which expects to enroll more than 7,000 three- and four-year olds. Arkansas is seeking another \$60 million for next year in order to serve the 20,000 low-income preschoolers not currently served.

Arkansas has allocated \$5.4 million this year for specific preschool programs to serve nearly 1,400 students Statewide. Springdale (\$346,000) and Eureka Springs (\$86,500) have already been funded. Six other school districts are in a pending status as they are in the application process. The State funds are intended to pay 60 percent of the program cost with the district paying the remaining 40 percent.

## California Update - September 2004

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Approximately 36,000 special education students or .8 percent of all the students enrolled in public schools took the California Alternative Performance Assessment Test (CAPA) in 2004. There are five levels for this test with each level covering 2-3 grades. Students can perform at six proficiency levels ranging from “advanced” to “far below basic.” For this year’s administration, only 14 percent of English/language arts CAPA scores were below basic or far below basic. About 35 percent of mathematics scores were below basic or far below basic. Students whose primary language is Spanish and who were enrolled in a California public school twelve months or less before testing, take the Spanish Assessment of Basic Education (SABE/2) in Spanish. The State has \$3 million budgeted for the development of tests in primary languages other than Spanish.

A month later than required by the State Constitution, on July 31, the final K-12 budget was signed, increasing the total to \$49.2 billion, up five percent from \$46.6 billion in FY 2004. The FY 2005 State budget for K-12 includes \$363 million for instructional materials of which \$30 million is allocated, on a one-time basis, to purchase supplemental materials to help students with a primary language other than English to develop English language skills. An additional \$138 million will be allocated to low-ranked schools to purchase State standards-aligned materials as a result of the Williams litigation settlement agreement. Approximately \$2.7 billion will be allocated for special education programs; this represents an increase of about \$125 million in State funding. Slightly over \$300 million from the general revenue fund and the Proposition 98 general fund will be used to help low-performing schools, including the Immediate Intervention/Under-Performing Schools Program funded at \$66 million. An additional \$40 million will be available to assist schools subject to sanctions under State and NCLB mandates. The State also provides approximately \$150 million for afterschool programs to supplement the \$137 million funding under 21<sup>st</sup> Century Community Learning Centers.

Approximately \$200 million will be used to support implementation of Reading First in selected districts across the State and for Reading First Statewide activities such as professional development. According to the new budget, for the newly-funded cohort of Reading First

districts, \$8,000 per teacher will be provided on a one-time basis which can be used for staff development or purchase of diagnostic reading assessments, intervention planning and training, and support services for reading specialists and coaches.

According to the Center on Education Policy, the California high school exit exam is administered on dates designated by the State Superintendent. Students may retake the exam until they pass the English/language arts and mathematics parts. However, they need only retake those parts not previously passed and they have six opportunities to retake the test. Districts are required to provide remediation services for students who do not pass the exit exam, but students are not required to attend the remediation sessions. While no State funds are specifically earmarked, districts can use regularly available State funds as well as any available supplement remedial resources. To prepare students for the exit exam, the State has developed study guides for students and, since 2002, has released test questions to teachers.

## **Delaware Update - September 2004**

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Delaware is currently developing standards for English language proficiency (ELP) and is participating in the Wisconsin, Delaware, and Arkansas Consortium to develop an assessment for ELP.

Christina School District, the largest in Delaware, has proposed a merit-pay plan that would link teacher compensation to students' academic performance. As reported in Education Daily, the plan will be pilot-tested for three years beginning in 2005 with full implementation scheduled for 2008. Teachers would receive overall pay increases in the 2005-06 school year as the pilot test begins. The exact compensation scheme will be investigated by a ten-person task force beginning in the coming school year. Any change in the districts' salary schedule would have to be approved by the State teachers' union. It has been estimated that the cost of implementation over the three-year pilot period will be \$6 million; \$2 million has thus far been provided by local businesses.

## Florida Update - September 2004

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During a recent meeting with all of Florida's district Title I coordinators, the State officials confirmed that USED had approved the five alternative sanctions proposed by the SEA. These include transferring students in schools identified for improvement for the first time or providing supplemental education services in lieu of transportation. Another alternative is school-within-a-school with separate staff from the district providing all-day services. Some of the larger districts are hoping to negotiate agreements with groups of teachers who would provide SES tutoring. The State is also planning to re-institute regional offices which will provide technical assistance to districts in developing school improvement plans. While the number of districts required to provide supplemental education services this school year is limited, they anticipate a three to five fold increase next year. Districts which are providing SES services are doing so without much guidance from the State.

Education Week reports that Florida's budget K-12 education in FY 2005 will increase by 9.3 percent to \$8.83 billion. A total of nearly \$980 million out of the budget will be devoted to the State's class size reduction efforts, almost twice the allocation of the prior year. As a result of the new budget, some State aid funds will be shifted from populous South Florida districts, such as Miami-Dade and Broward County, to other areas of the State. This reallocation is being challenged in the courts.

As reported by the Center on Education Policy, students in Florida have five opportunities by the end of the twelfth grade to retake the high school exit exam beginning in October of eleventh grade. After the twelfth grade, they can retake the test again and still receive a diploma. Currently, there are no limits on the number of times a student can retake the exam and no age limit for taking the exam. Students with disabilities can be provided accommodations for testing and still receive a high school diploma. The alternative test, entitled "Enhanced New Needed Opportunity for Better Life and Education for Students with Disabilities," requires districts to prepare these students to demonstrate proficiency in competencies necessary for successful grade-to-grade progression and high school graduation. If a student's IEP team decides that the FCAT cannot accurately measure a student's abilities, even with accommodations, some students



can receive special exemptions and will graduate with a special diploma or certificate. Districts are required to provide remedial services for students who do not pass the FCAT. While no funds are specifically targeted for remediation, one of several State funding sources, as well as Title I, can be used by districts to fund remedial programs.

## Georgia Update - September 2004

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Georgia has slightly over 50 schools that are confronted with restructuring for having failed AYP for five consecutive years. Districts will likely be making internal changes such as replacing curriculum and staff rather than facing State takeover.

Approximately one-fifth of schools have been identified for improvement. Most are Title I schools for which Title I earmarks would apply. For those non-Title I schools that have been identified for improvement, state funds are allocated for school improvement. It is not clear how many districts will have been identified for improvement. However, for a district in improvement for one year that district can provide supplemental education services. However, if it is identified for two consecutive years then the district is not allowed to provide supplemental services.

Georgia, along with 44 other states, has had to deal with lawsuits over its school funding system. Georgia's state aid system provides an average of about 60 percent of the cost of operating schools in the State, with the remainder coming from local property taxes. As a consequence, rural schools (with smaller tax bases) generally receive a higher portion of their revenues from the State. The Consortium for Adequate School funding, comprised of more than 50 rural school districts, along with a group of parents, has filed suit claiming that the State has underfunded rural schools, preventing students from getting the adequate education guaranteed in the State Constitution. Governor Sonny Perdue has appointed a 24-member task force to design a more simplified system that provides more equitable funding without raising taxes.

The State does not require districts to provide remedial services for students who have not passed the State's exit exam nor are there any State funds earmarked specifically for that purpose. The State has developed curriculum guides based on the exit exam, lesson plans to prepare students for the test, and information guides explaining the test. Student guides have also been developed. End-of-course exams are used to gather diagnostic data that can be used to address specific student weaknesses in content areas. Special education students and English language learners who take the State assessment with accommodations can receive a regular high school

diploma. Individual students who can document a limitation that precludes the likelihood of passing a test can be given waivers from taking the exit exam and still graduate with a high school diploma.

## **Illinois Update - September 2004**

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The SEA has come up with a unique approach to using school improvement set-aside funds to provide technical assistance. Six regional education service providers have responded to an SEA RFP to provide technical assistance directly to districts with schools identified for improvement. While some of the funds flow through the regional service providers to districts, most of the districts are likely to be requesting specific services, such as helping align district content with state assessments, etc. For non-Title I schools that are identified for improvement, approximately \$3 million of State funds also flows to the regional entities. During last year, the regional entity reviewed district and school data to come up with suggested strategies.

On September 14, Governor Rod Blagojevich appointed a new State Superintendent and State Board of Education to replace a Board which had been part of the political patronage system in Illinois. Unlike the prior Board, most of the new Board members will have education backgrounds. The Law authorizing the new School Board is intended to give the Governor more influence over education in the State and make Illinois education system more accountable.

Last year, Chicago Public Schools was the major provider of supplemental education services for schools in the second year of improvement. Even though the district itself was identified for improvement and should not have been allowed to provide SES according to the Law, USED provided a waiver. The SEA has requested clarification of the legality of what Chicago is doing but have not received any guidance from USED; this has created a tense situation.

## Indiana Update - September 2004

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According to the Center on Education Policy, districts are required to provide remedial services for students who do not pass the State exit exam; however, students are not required to attend. As one of the few states providing State funds targeted at remediation for failing students in grades ten through twelve, Indiana allocates funds using a three-tiered method based upon student/district performance. Districts with the most low-performing students receive the greatest level of funding. The State has undertaken significant teacher training on how to interpret exit exam results and familiarize teachers with State high school exit exam, the use of returned applied skills materials and released test items. However, the State has not developed a preparation and remedial program and materials for students failing the exit exam. Students have four opportunities to retake the exam before the end of the twelfth grade. After the twelfth grade, students can retake the exam as many times as they wish.

As reported in Education Daily, Indiana is considering a legal challenge to the U. S. Department of Education (USED) concerning USED's interpretation of the No Child Left Behind Act's requirements for determining school district academic progress. Currently, Indiana, when calculating the adequate yearly progress (AYP) of individual school districts, counts only the scores of Title I schools. This reduces the number of districts identified for improvement by a significant amount. USED has ruled that this calculation method is unacceptable.

## **Kentucky Update - September 2004**

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The Kentucky Department of Education has expressed its intention to move forward on “online testing,” according to the Louisville Courier-Journal. Currently, the State administers its Statewide exams in the Spring and forwards the tests to a scoring contractor who returns the results by October when students have already begun their next grade. As one of the only states that require Statewide assessments in all subjects, Kentucky is planning a pilot project in a few high schools that would provide online testing with immediate results available so teachers will be able to make quick adjustments to their curricula and classrooms.

Approximately 58 districts have been identified for improvement for having failed to meet AYP targets two consecutive years. However, the SEA has requested clarification in cases where districts previously had been approved and have performed extremely well as supplemental education service providers who are now identified for improvement. They have requested that these districts, as well as some of the districts identified for the first time, be allowed to continue to provide SES services. For this coming year, seven schools will be under reconstruction. Slightly over 110 schools have been identified for improvement for the first time and will have to provide a 10-15 percent set-aside for staff development. Districts that have been “identified” will be allowed to provide such training, however. The Kentucky Education Association has been asked to consider forming teams, particularly of retired teachers, who would provide supplemental services where appropriate. In addition, the SEA has talked to a number of independent groups, such as the Urban League, who currently operate afterschool programs to provide SES services.

The Louisville Courier-Journal reports that Jefferson County Public Schools (Louisville) is beginning a \$5 million experiment which will provide laptop computers to 3,000 teachers and students in four low-performing schools. Modeled after the laptop program in Henrico County (Virginia), the initiative will fund \$1,200 Apple iBooks (including wireless Internet access) in Western High School, Shawnee High School, Moore High School, and Moore Middle School.

## **Louisiana Update - September 2004**

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A total of 75 schools in Louisiana (out of 1,500 schools in the State) are in what is called “School Improvement 2” or higher. This means districts must offer transfer options to their students. Nearly three-quarters of these low-performing schools are in Orleans Parish. Forty-eight of the 75 low-performing schools (including 41 in Orleans Parish) are required to offer supplemental education services or free tutoring.

The Louisiana Board of Regents is considering a plan that would rate teacher training programs based upon how students perform in the classroom. Under the plan, the State’s 19 public and private education colleges would receive ratings on a number of factors including student performance allowing principals to identify new teachers with the greatest likelihood of success.

The Center on Education Policy reports that districts are required to provide remediation services for students who have not passed the State exit exam. In 2003-04, approximately \$3 million was allocated by the State on a per-pupil basis to districts with students who failed the exit exam. The State has supported a professional development program for teachers to help them prepare students to take the high school exit exam and to interpret test results. It has also developed curriculum guides and lesson plans for students and has provided computer-based programs in summer school to help students prepare for the exam or as remediation tools. Students have six opportunities to retake the English/language arts and math exit exams and three opportunities to retake the science and social studies exams by the end of the twelfth grade. Students can retake the State exit exam as many times as they want after they leave school.

## Maryland Update - September 2004

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As reported in The Washington Post, students scores in Maryland have improved markedly in the past year. Based upon 2004 scores, more than half of the students who took the tests -- in English, Government, Algebra, and Biology -- passed. The prior year, for example, less than 40 percent passed the English exam. In fact, more than 60 percent passed the Government and Biology exams.

As reported in Education Week, the Maryland Department of Education has agreed to release \$1.8 million in Federal Title I funds it had been withholding from Baltimore City schools. The funds were identified by a recent State audit as misspent by the district. If a final audit determines that Baltimore city must repay the funds, they will be withheld from future Federal payments.

The State requires districts to provide remediation services for students who do not pass the high school assessment and students are required to attend remediation programs if they plan to retake the test. The State has not developed any test prep or remediation programs or materials for students failing the high school exit exam. According to the Center on Education Policy, the State is developing formative assessment tools that will provide diagnostic and instructional help for students having difficulty passing the State's exit exam. It is providing online courseware that teachers can access for instructional modules matched to State standards; these will be available in Algebra and Biology for 2004-05, and in Government and English by September 2005.

The State has earmarked an additional \$1 million to help local educators target disabled middle school students and identify their academic weaknesses.

In late August, a Circuit Court judge ordered the State of Maryland to accelerate State funding for Baltimore City on the grounds that the State had "unlawfully underfunded" the district by between \$439 million and \$835 million over the past four years. As reported in the Baltimore Sun, the judge ruled that the City's cost saving measures -- including larger class sizes and



elimination of summer school -- were unconstitutional. The State Board of Education has appealed the ruling.

A number of Maryland counties have set themselves up to compete with private tutoring services. As reported in The Washington Post, Prince George's County will provide two or three hours of individualized tutoring by certified teachers, at least twice a week, to students who meet poverty criteria. County education officials believe that they can -- through the "A+Focus" afterschool program -- provide tutoring more cost-effectively than private tutors. Last year, Prince George's County spent an average of \$1,700 to provide outside tutors for 300 students; this year the County says about 3,000 students will be eligible for the tutorial services.

## Massachusetts Update - September 2004

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In the 2003-04 school year, approximately 400 public schools in Massachusetts -- more than 20 percent of the State's schools -- have failed to make adequate yearly progress under the No Child Left Behind Act. This is nearly twice the number that failed the prior year. It also includes some schools from traditionally high-performing school districts whose performance may be affected by low scores on the part of special needs students and by low test participation rates.

It has been reported that the Massachusetts legislature failed to fund the full \$27 million requested by the State Education Department for the Massachusetts Comprehensive Assessment System (MCAS). Consequently, the State is considering postponing, for at least one year, a number of MCAS exams including Science (grades 5,8, and 10) and History (grades 5, 7, and 11). Many Massachusetts educators actually welcome the postponements, seeing them as a break from the State's rigorous testing schedule.

The political environment in Massachusetts is such that the interest in starting new charter schools has decreased markedly in the last two years. As reported in the Boston Herald, for the current school year, the State received only 14 letters of intent from organizations interested in beginning charter schools, compared with 20 last year and 37 the year before. State Superintendent David Driscoll has stated that there is unlikely to be any expansion of charter schools in the near future.

According to the Center on Education Policy, Massachusetts does not require local school districts to provide remedial services for students who fail the Massachusetts Comprehensive Assessment System (MCAS) exams. The State has provided teacher information guides about the tests. The State has available computer-based programs from the Princeton Review to help students and other types of assistance (scoring guides, released test items, sample student work) are available on the State website. In FY 2003 a total of \$50 million was allocated to districts for remediation of students in grades 4-12.

## **Michigan Update - September 2004**

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Slightly over 60 schools in the State are confronted with restructuring. State officials indicate while the State has the option of taking over such schools under restructuring provisions under NCLB. In the past the Michigan SEA took over the financially troubled Inkster school district in the early 1990's and then quickly provided a contract to Edison Schools to manage the entire district which was less than successful. It is likely that the SEA will encourage districts to use alternatives to State takeover such as hiring education management organizations, replacing all staff, and replacing the entire school curriculum.

## Minnesota Update - September 2004

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A total of 472 Minnesota schools failed to make adequate yearly progress (AYP) last school year under the No Child Left Behind Act. The number of schools failing to make AYP the prior year was only 143, but middle and high schools were not included in the count. Twenty-two of the schools failed to make AYP for the second consecutive year; 18 fell short for three years; and eight schools failed to make AYP for four straight years.

As reported by the Center on Education Policy, students in Minnesota have 11 chances to take the State's reading and mathematics exams by the end of the twelfth grade. Students who fail an exit exam are required to receive -- from either the State or the district -- information to help prepare for future test administrations. Minnesota does not allow students transferring from other states to use scores from those states to satisfy Minnesota graduation requirements. There are no procedures that permit students who fail an exam to request waivers or appeal exam results. There are no alternative diplomas or certificates for general education students who don't receive a regular high school diploma.

In mid-September, Minnesota announced its plan to test a merit pay system in a number of schools. As reported in the Star Tribune, the experiment will use \$8 million in Federal funds to support performance-based pay systems in the Waseca school district and in three Minneapolis schools -- Seward Montessori, Anderson Open, and Webster Open. The \$2.6 million Waseca plan provides: (a) \$8,000 pay increases for master teachers who, in addition to teaching one or two classes a day, will assist in teacher training and evaluation; (b) \$5,000 in higher salaries for teaching mentors; and (c) bonuses of \$2,500 to \$3,000 for teachers based on the performance of their students and other evaluation factors. The Minneapolis schools will also receive a total of \$2.6 million which will fund teacher bonuses of between \$500 and \$3,500 per teacher. These programs are in addition to five other Minnesota school districts that are currently experimenting with alternative pay structures. The State's Governor, Tim Pawlenty, has been a strong proponent of performance-based salaries and has proposed a number of merit pay plans that have not made it through the legislature.

The Teacher Advancement Program (TAP), sponsored and operated by the Milken Family Foundation, incorporates performance-based teacher salaries along with intensive teacher training and mentoring. TAP is currently operating in eight states across the nation.

## **Mississippi Update - September 2004**

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Although the State has no mandatory remediation process for students failing the high school exit exam, it has sent guidelines to districts about optional remedial opportunities and future test dates. The Center on Education Policy reports that the State has provided professional development for teachers regarding test-taking skills, interpreting test results, and related areas. For students, the State has developed computer-based programs, study guides, information booklets, a CD-ROM for practice tests, web resources and curriculum intervention guides and supplements. Students are permitted to take the high school exit exam five times a year and after the twelfth grade they can retake the exam as many times as they need to.

## **New Jersey Update - September 2004**

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According to the Philadelphia Inquirer, at least 90 percent of the teachers in New Jersey meet the “highly qualified” standard. Based on a survey conducted this April and May, the State survey found that more than 96 percent of elementary teachers and 90-92 percent of secondary teachers meet the standard. Teachers in charter schools and “special needs” districts are more likely than others to fall short of being “highly qualified.”

In early September, State education officials finally approved New Jersey’s social studies standards after two years of debate. The final standards, scheduled for School Board approval in October, is comprised of 55 pages and includes a number of politically sensitive issues such as the treatment of Native Americans.

According to the Center on Education Policy, New Jersey requires its school districts to provide mandatory remedial services for students who fail the State’s High School Proficiency Assessment (HSPA). Students who fail a section of the HSPA are given a comprehensive assessment and remediation targeted to their specific needs. Funding for these programs comes from local sources. New Jersey has professional development programs to help teachers administer, and prepare students for, the HSPA, including training or interpreting test results. The State also provides adult support and GED courses for students who meet other graduation requirements but fail the exit exam.

## **New York Update - September 2004**

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According to the Center on Education Policy, districts must provide remedial services for students who fail a high school exit exam using State Academic Intervention Services funds allocated to districts according to regulations covering students who need extra time and help to meet State learning standards. In addition to the \$72 million for support “services aid,” \$705 million in “extraordinary needs aid” and \$86 million for K-12 LEP programs is being provided by the State and can be used by districts to provide remediation for students failing the State’s high school exit exam. Students have three opportunities annually to retake the entire Regent’s exam or a component retest on part of the Regent’s exam in which they had the most difficulty. Students enrolled in school up to age 21 are allowed to retake exit exams.

New York City schools has decided to end social promotions for fifth-graders. As reported in The New York Times, the City is planning to expand its existing program that has ended social promotions for third-graders. Funding in the amount of \$20 million will be made available for tutoring sessions and special Saturday classes to help fifth-grade students at risk of being retained in grade.

According to The New York Times, approximately 25 percent of the public schools in New York City failed to meet State proficiency standards last year. A total of 328 schools that received Federal Title I funds failed to meet standards during the 2003-04 school year, down from 366 schools the prior year. Last year, more than 7,000 students transferred out of failing schools. However, this year, the City plans to limit the number of transfers to fewer than 1,000 students and will not allow transfers until the end of October.

In September, the New York City Board of Education has decided to “outsource” all SES services this year ending SES provided by the district.



## North Carolina Update - September 2004

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A new study published by Duke University has found that students who attend charter schools in the State perform less well than they do in traditional schools and that some of the negative effects of attending charter schools are large. The study compared the gains of 6,000 charter school students in grades 4-8 between 1996 and 2002 with the academic gains of the same children when they were in public schools. On the average charter school students scored .31 as a standard deviation lower in reading, and .53 as a standard deviation unit lower in math at the eighth grade level than the students who have stayed in public schools. The study also found that the turnover rates are higher in charter schools than in traditional schools. Under NCLB, charter schools are one of several options recommended as an alternative for parents who have their students in failing schools for transfer.

According to the Center on Education Policy, State funds can be used for remediation purposes for students who fail the State's exit exam. Approximately \$45 million is available for improving student accountability and \$180 million allocated for at-risk funds for grades three through twelve. These funds are allocated using a formula taking into account the number of students who fail, district performance, and students from low-income families. Professional development for teachers has been provided by the State to teach test-taking skills and the content of the competency test. It has developed remedial programs and materials for the exams for students including curriculum guides based on the exams, lesson plans to prepare students for the test, and information guides generally. Instructional notebooks in reading and math are available to assist teachers in providing focus remediation for students to help them pass the exit exam.

## Ohio Update - September 2004

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According to State data, 346 Ohio school districts are in the top two (out of five) academic classifications -- “excellent” and “effective.” This represents an increase over the 262 districts so classified the prior year. Thirty-eight districts are in the lowest two classifications -- “academic watch” and “academic emergency,” down from 68 districts the year before.

Education Week reports that Ohio’s Appeals Court has allowed to go forward a lawsuit filed by the Coalition for Public Education challenging the State’s charter school law. Representing teachers’ unions, the Coalition claims that charter schools are held to looser standards than traditional public schools.

According to the Center on Education Policy, Ohio requires its school districts to provide remedial services for high school students who fail the Ohio Graduation Tests (OGT), but students are not required to attend. The State has established professional development programs to help teachers prepare their students for the OGTs, including OGT content, test-taking skills, scoring open-ended items, and interpreting results. For FY 2004, the State has set aside \$3.7 million to provide remediation for ninth graders; for FY 2005, \$5.9 million has been set aside for interventions for ninth and tenth graders. These funds are available to pay for salaries, training, and instructional materials to help students at risk of failing the OGT. OGT support programs may be operated in-school, afterschool, weekends, or during the summer.

Recently passed legislation allocates funds for professional development in at-risk districts. The beneficiaries will be districts in “academic emergency” (FY 2004) and districts with three-year average graduation rates of less than 75 percent (FY 2005). Teachers in the ninth and tenth grades will receive five days of ongoing imbedded training in the five areas addressed by the OGT.

## Oklahoma Update - September 2004

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Education Week reports that an improved economic climate in the State will allow Oklahoma to raise overall State spending by 4.1 percent for FY 2005. The K-12 education budget is expected to rise by about two percent to \$2 billion. A key component of the new budget is an initiative to raise teacher salaries over the next four years. The first phase of this initiative, to begin this fiscal year, will use \$53 million to pay for health insurance costs for certified K-12 employees. The second phase -- from 2006 to 2009 -- will allocate \$197 million to increase teacher salaries until they match the regional coverage.

The State has numerous remedial-type, dropout prevention programs which are similar to Title I. Those that receive the largest amount of State funds are early childhood programs, high school dropout prevention programs, and remedial high school programs to help students meet high school graduation requirements. The total amount of compensatory education programs within the State is about \$100 million. SEA officials estimate that approximately 300 schools will have been identified for improvement for one year based upon this year's test results and slightly less than 100 will have to provide supplemental education services. The number of school districts which are requesting approval to operate SES services has increased dramatically over the last two years. More than 100 SES providers have been approved.

## **Pennsylvania Update - September 2004**

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Pennsylvania's 2004 Academic Achievement Report indicates that 81 percent of the State's schools made adequate yearly progress (AYP) this past year, compared with 62 percent the prior year. The State will find it difficult to show the same progress this year. The academic standards for the past two years -- 35 percent proficient students in math and 45 percent in reading -- will be increased to 45 percent and 54 percent, respectively, for the coming school year.

As reported in Education Daily, the Pennsylvania legislature has approved \$200 million of block grants to 300 schools for the current school year with the purpose of funding programs that have been proven to improve student performance. One of Governor Edward Rendell's priorities under these block grants will be full-day kindergarten. Among the other priorities of the block grants will be pre-kindergarten programs, continuing teacher education, and class size reduction.

The Pennsylvania Board of Education has passed a set of rules that will allow some teachers to be certified as "highly qualified" under the No Child Left Behind Act without having to pass a subject matter test. The new rules will affect as many as 20,000 teachers across the State -- primarily seventh and eighth grade teachers with elementary or general certifications who teach English, mathematics, social studies, or science. Based upon recent results, almost 25 percent of these teachers fail their subject matter certification tests.

The Pennsylvania Department of Education has appointed L. Michael Golden to be the first Deputy Secretary of Education for the Office of Information and Educational Technology. Prior to his appointment, Mr. Golden had been Director of the Department's Educational Technology Office.

In early August, as reported in Education Daily, the Reading school district lost a lawsuit which claimed the State was not providing sufficient funding to allow the district to meet the requirements of the No Child Left Behind Act. Thirteen of the district's 20 schools failed to

make adequate yearly progress under the Law. Reading has filed an appeal of the ruling with the Pennsylvania Supreme Court.

## **South Carolina Update - September 2004**

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As reported by the Center on Education Policy, South Carolina has distributed to students an information guide about the State's high school exit exam, the High School Assessment Program (HSAP). The State requires its local school districts to provide academic assistance to students who fail a part of the HSAP. It also requires districts to offer students who do not pass all components of the HSAP a number of options, including: (a) accepting a certificate of credits/courses instead of a high school diploma; (b) continuing enrollment in high school or adult education programs until the exit exam is passed (through age 21); or (c) both of the above.

## **Tennessee Update - September 2004**

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Currently, 149 schools have been identified for improvement for Year 1. None have been identified for Year 2 and, therefore, they are not required to provide supplemental education services. Thirty-four LEAs, however, have been identified for improvement. These districts would not be allowed to provide supplemental services to any of the schools identified for improvement.

The State requires school districts to provide remediation services for students who do not pass the exit exams; students are required to attend these programs. Teacher training support is available from the State preparing teachers to interpret test results and to help teachers with curriculum developing in reading. It has provided guides to districts which include lesson plans to prepare students for the test. School districts are responsible for providing remedial programs and materials. Some State funds are available to train teachers of special needs students to help them pass the exit exams. Students have three opportunities to retake sections of the exit exam before the end of the twelfth grade. After that, there are no limits on the number of times or age at which students can take the exit exam and, if passing and meeting other graduation requirements, receive a high school diploma.

## Texas Update - September 2004

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Using executive authority, Governor Rick Perry has added \$3 million to the pool of State and local funds designed to reimburse teachers for their use of personal money to buy supplies for their classrooms. As reported in Education Week, these new funds are in addition to the \$3 million allocated last year by the legislature. At a maximum of \$400 per teacher, the initial funds were used up very rapidly.

The Dallas News reports that the number of Texas students enrolled in Advanced Placement courses has grown markedly in the past year. Enrollments in AP classes in Texas schools has more than tripled since 2001. Students in Texas public schools took more than 94,000 AP exams during the last school year, an increase of 11.6 percent over the prior year.

As reported in The Dallas Morning News, a State District Court has ruled that the existing system by which Texas funds its schools is unconstitutional and must be overhauled. The current "Robin Hood" financing system, according to the Court, does not provide adequate resources for school districts to meet academic requirements and restricts their ability to set local property tax rates. The State has appealed the decision and the Court has stayed enforcement of the ruling for one year to allow the legislature to correct the system.

Concerned that large numbers of high school seniors may fail to pass the State graduation exam, Texas education officials are developing a plan to increase passing rates. Currently, in order to graduate, students must pass all four areas of the Texas Assessment of Knowledge and Skills -- English, mathematics, science, and social studies. Under the new plan, student scores on the four sections could be averaged, allowing high scores on one section to offset failing scores on another section.

The State requires school districts to provide remedial services for students who do not pass the State exit exams, but does not require these students to attend remedial sessions. The Center for Education Policy reports that Texas has spent over \$1 billion on remediation for students in grades three through eleven who did not pass the grade-level exit exams. The State has also



developed a summer remediation study guide which is provided to students who do not pass the TAKS test in these grades. Districts are required to provide “accelerated instruction” to students who fail these tests and document the effectiveness of programs in reducing dropouts. The State’s Teacher Quality Grant is designed to improve teachers content knowledge of State curriculum and assessment standards. The TEA has also developed information guides for students. Individualized focus study guides were supposed to be distributed in August 2004 to schools with students who did not pass Statewide assessments. Students are permitted to retake the graduation exit exam in the summer following the eleventh grade and, if they meet other graduation requirements, they can retake the exam after the twelfth grade. There are no limits on age or number of times a student can take the exam.

As reported in The Dallas Morning News, a total of 199 low-performing Texas schools will be required to provide transfer options to their students, under the No Child Left Behind Act. Sixteen schools in Dallas and seven in Houston fall into this category.

## **Utah Update - September 2004**

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According to the Center on Education Policy, Utah requires its local school districts to provide remediation services for students who fail the Utah Basic Skills Competency Test (UBSCT). The nature of these services are determined at the district level. The State has established professional development programs to help teachers prepare students for the UBSCT, including content materials, test-taking skills, interpretation of test results, and test administration. Utah has developed curriculum and information guides, as well as computer-based programs, to help prepare students for the exams.

## Virginia Update - September 2004

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The Richmond Times Dispatch reports that the highly acclaimed Virginia Preschool Initiative has seen its funding increased to \$47.4 during the 2004 legislative session from \$18.9 million in the prior budget cycle. The additional State funding is expected to expand the number of four-year-olds served from about 5,900 to nearly 7,400.

The State has developed curriculum guides based on its graduation exit exams and lesson plans to prepare students to take the State test. In addition, practice tests for students' use are also available, as is an online tutorial for English. According to the Center for Education Policy, the State has developed remedial programs and materials for students, such as afterschool tutorials, weekend tutorial programs, computer-based programs, and summer school. During the Summer of 2004, "continuation academies" were offered to students needing remediation to take assessments which they had failed to pass. Even though the total amount of funds targeted for remediation for seniors who fail the high school exit exam is less than \$1 million, additional State funding sources are used by districts who are required to provide remediation services for students who do not pass the SOL exams. There are no limits as to the number of times a student can take the graduation exit exam as long as a student is of school age. Special education students and LEP students may take the exam through age 22 and receive a diploma if other graduation requirements are met.

## Washington Update - September 2004

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As reported in The Seattle Times, scores on the Washington Assessment of Student Learning (WASL) went up in all subjects at all grades this past school year. Some of the increases, however, could be attributable to a lowering of the passing scores for fourth and seventh grade students. According to official State results, 60.4 percent of seventh grade students passed the reading component, up from 47.9 percent the prior year, and 46.3 percent passed mathematics, up from 36.8 percent in 2002-03. About 74 percent of fourth graders passed reading, 60 percent passed math, and 56 percent passed writing. Results in science were somewhat lower with passing rates of 28 percent, 39 percent, and 32 percent in the fifth, eighth, and tenth grades, respectively. State officials are still concerned about what will happen in four years when the WASL is scheduled to become a high school graduation requirement. Last year, less than 40 percent of tenth graders passed all three subjects that will be required for graduation.

According to Education Daily, Microsoft founder, Bill Gates has contributed \$300,000 to an effort to defeat a November referendum that would overturn a State law funding charter schools. Pushed by the State teachers' union, Referendum 55 would eliminate the charter school funding passed into Law last Spring. Gates has been a strong supporter of charter schools in Washington and other States.

Starting next year, Washington will require local school districts to provide remedial services for students who fail the Washington Assessment of Student Learning (WASL); however, these students are not required to attend the remediation. The State has professional development programs to help teachers understand the content of the WASL and interpret test results. It has also developed information guides and sample tests to help students prepare for the exams.

## Wisconsin Update - September 2004

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As reported in the Milwaukee Journal Sentinel, starting next school year, all new teachers in Wisconsin must go through a more rigorous State educator certification system. Among the newly-implemented standards is the requirement that new teachers pass the Praxis II exam. This is in addition to the current requirement that all teachers must pass the Praxis I pre-professional skill tests in reading, writing, and mathematics.

As reported by the Wisconsin Department of Public Instruction, 94 percent of the schools and 93 percent of the school districts in Wisconsin have made adequate yearly progress (AYP) under the No Child Left Behind Act last school year. This leaves 63 schools and 30 districts that have failed to meet Federal standards for the first time. No sanctions will be imposed upon these schools and districts. In addition, 61 schools and one school district have failed to make AYP for two consecutive years. State officials believe some, if not most, of these failures are the result of special education students not meeting standards.