

## **Alabama Update - November 2004**

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As reported in Education Week, legal wrangling over the testing of teachers in Alabama has been going on for nearly 25 years. The State was about to end the controversy and begin using the Praxis II exams to license Alabama's teachers. However, three students from Alabama State University have been asked to be added to the long-standing lawsuit. If a Federal judge agrees, the lawsuit will be reopened and the settlement of *Allen v. Alabama* will fall apart, meaning the 6,000 or so new teachers in the State will not be tested on their competence to teach.

## **Alaska Update - November 2004**

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According to the Center on Education Policy, Alaska does not require its school districts to provide remediation for students who fail the State's High School Graduation Qualifying Exam (HSGQE) and allocates no funds for such remediation. Alaska has not established professional development programs that would help teachers prepare their students for the HSGQE or materials to help students pass the test.

## Arizona Update - November 2004

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Last Spring, the Arizona legislature approved a budget which included \$25 million in the current school year for full-day kindergarten in schools which enroll at least 90 percent poverty (free or reduced price lunch) students. Currently, approximately 44 percent of Arizona's five-year olds are enrolled in full-day kindergarten, some operated by districts at no cost, some with a fee. Governor Janet Napolitano wants the program expanded over the next five years to include every school in the State. The total cost of Statewide full day kindergarten is estimated at \$200 million.

In mid-October, Arizona released the rankings for the State's nearly 1,200 public schools. At the end of last school year, only 15 schools were labeled as "failing," a very low number considering the 81 schools that were considered in danger of failing at the beginning of the school year. State Superintendent Tom Horne attributes the improvement to the teams of educators the State sent out to under-performing schools. These teams helped to retrain teachers and align lesson plans with State academic standards.

In 2000, a State referendum increased Arizona's sales tax to provide more funding for education, including \$1.5 million for a tutoring fund for students at "failing" schools. Over the past four years, the fund has grown to \$5.8 million which can be used for tutoring at both failing (12 schools) and underperforming (30) schools. State Superintendent Tom Horne wants to redirect some of the tutoring fund toward high school juniors (the Class of 2006) who will be the first required to pass the Arizona Instrument to Measure Standards (AIMS) in order to graduate. He also wants to increase the number of private companies available to help students.

## California Update - November 2004

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As reported in The Sacramento Bee, Governor Schwarzenegger has signed into a law a plan that would merge 22 school categorical programs into six block grants. It is expected that the block grants would give local school districts more control over how the State funds are spent. Critics of the new plan argue that without the funding guarantees inherent in categorical programs, some important programs could die.

As reported in Education Week, California Governor Arnold Schwarzenegger has vetoed two bills that would have the effect of giving greater flexibility to local school districts in the selection and pricing of textbooks. The Governor, as well as the State Superintendent and publishers opposed SB 1380 arguing it would undermine the selection of textbooks that meet State academic standards. The bill had been opposed by the State Superintendent and Republicans in the State legislature. The Superintendent claimed implementation of the law would require the hiring of price negotiators (\$200,000) and force the State school board to establish prices for books and to monitor prices in other states. The second bill, AB 2455, would have permitted price to be considered in material review. The Governor did sign AB 825 that consolidates 26 categorical programs, funded at \$1.8 billion, into six block grants.

As reported in the San Francisco Chronicle, the number of California schools that failed to make adequate yearly progress under the No Child Left Behind Act last year increased by nearly half from the prior year. As of last school year, 1,626 schools -- more than a fifth of the schools in the State -- failed to meet NCLB standards. California educators expect the situation to worsen in the next few years as NCLB requirements become more rigorous. Fifteen school districts in California also failed to meet Federal standards for the first time and were placed in "Program Improvement" status.

As reported in Education Daily, California education officials have asked USED that the State be given an exemption from the No Child Left Behind requirement to test the English reading and writing proficiency of kindergarten and first-grade students. Currently, the California English Language Development Test (CELDT) assesses reading and writing only for LEP students in

grades 2-12. The State argues that the administration of such tests to younger children “will be very intrusive to instructional time, and will significantly increase the burden and expense of administering the CELDT.”

The Los Angeles school system has begun implementation of a plan to turn all secondary schools in the district into smaller, theme-based learning communities. As reported in Education Week, Los Angeles’ 80 middle and 50 high schools will be scaled down into smaller schools of between 350 and 500 students each. Part of a nationwide urban trend, the district hopes the downsizing of its schools will result in improved academic achievement for its students. Issues relating to school staffing and budgeting have yet to be established.

Campbell Union School District has developed a professional development program that is expected to be used by school districts from across the State of California. Called the Online Education Center, it was designed in response to a State directive requiring districts to provide courses that will allow teachers to complete all new California credentialing requirements. The Center’s content incorporates the knowledge and skills of experienced instructors with extensive classroom experience and offers “anytime, anywhere” learning, as well as enhancing district revenues.

The Software & Information Industry Association reports that, in September, Imperial County was awarded a \$21 million grant to manage California’s K-12 High Speed Network. Currently, all 58 counties and all K-12 schools in the State are connected to the Network. Imperial County will oversee the K-12 portion of the State’s K-20 Network and will work with higher education through the non-profit Corporation for Education Networking Initiatives in California. The Project Director is Todd Finnell at 760/312-6158.

Education Week reports that the State required report cards on each of California’s public schools now include information on teacher qualifications, condition of facilities, and textbook availability. This new required information is the result of settlement of a lawsuit in which the State promised to provide more construction funding for poor schools, better qualified teachers, and more instructional materials.

## Colorado Update - November 2004

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The Rocky Mountain News reports that a tentative agreement has been reached between the Denver school district and the local teachers union calling for a one percent cost-of-living increase and payments to cover high health insurance costs. The agreement includes lower fees paid to substitute teachers (down to \$22 per day from \$121 per day) saving the district \$1.4 million this year. Denver has, as part of its union agreement, implemented its Pro Comp merit-pay plan that rewards teachers who demonstrate student performance increases, take extra professional development, and work in low-performing schools.

As reported in Education Daily, 79 percent of the schools in Colorado made adequate yearly progress (AYP) last year under the No Child Left Behind Act, an improvement over 75 percent the prior year. Out of a total of 493 schools in the State, 34 schools are identified as “in need of improvement” for failing to make AYP for two consecutive years; 27 schools face “corrective action” for missing AYP for four years; two schools are facing restructuring and another is being restructured after missing AYP targets for six years.

As reported in The Denver Post, the number of students shifting from regular schools to online schools has increased dramatically over the last five years. In 2000-01, a total of 166 students took full-time cyberschool classes at a cost of \$1.08 million. According to projections, more than 4,200 K-12 students will be enrolled in cyberschools at a cost of nearly \$24 million. These counts do not include students taking one or two courses online. Colorado Virtual Academy, an online charter school in the Adams 12 School District, enrolls more than 2,000 students, nearly half of the State’s total number of cyberschool students. It should be noted that students who leave regular schools for cyberschools take with them their share of State funding.

As reported in Education Week, Colorado was the only state in the nation that saw both houses of its legislature shift political control -- from Republican to Democrat. It is expected that this shift will benefit those who wish to increase education funding and will stifle somewhat legislation that would allow State-financed vouchers for private school tuition.

## Connecticut Update - November 2004

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Education Daily reports that the numbers of tenth-grade students scoring at the goal level or above on the Connecticut Academic Performance Test increased slightly in all subjects. The improvements were from 47 percent in 2003 to 48 percent in 2004 in reading; from 53 percent to 54 percent in writing; from 45 percent to 46 percent in science. Participation rates improved as well, with overall participation increasing to 95 percent from 90 percent and special education and low-income students showed increases as well.

A Connecticut child advocacy group has issued a report calling for major changes in the No Child Left Behind Act. The survey by the Legislative Advocacy Clinic at Yale Law School of principals and superintendents found, "Connecticut educators report that the potential of NCLB is being seriously undercut by fundamental flaws in its design and current Administration." The group recommends that the AYP methodology "should focus on cohort-based testing and analysis in order to better measure student achievement over time, change the current statewide subgroup requirement from an absolute number to a percentage of students per school." It calls for off-level testing through the means of assessing special education students and calls for translated versions of standardized tests for all LEP students who need them, and changing the way ELL test scores are counted toward AYP. Connecticut students on the NAEP as well as other instruments are among the top performers nationwide.

Based upon responses from district superintendents and school principals, the group says that NCLB is inadequately funded and is unfair to special education students and English language learners. Superintendents indicated that the Federal Government should provide more funds for NCLB and principals say they have to divert funds from arts and athletics to meet NCLB requirements.

According to the annual State report, 77 percent of the State's high schools are making adequate yearly progress under NCLB as measured by the Connecticut Academic Performance Test, up from 46 percent last year. Elementary and middle school results have not yet been released.

As reported in Education Week, the Connecticut Board of Education approved a new performance-based pay plan for teachers. As many as 1,000 teachers could earn \$3,000 bonuses for increasing the achievement and reducing the dropout rates for their schools. To be considered by the State legislature early next year, the plan will also provide two-year contracts for experienced teachers.



## Florida Update - November 2004

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Education Week reports that, beginning next Spring, the science portion of the Florida Comprehensive Achievement Test (FCAT) will be given during the eleventh grade rather than the tenth grade, as it is currently. The State Commissioner of Education issued his plan, arguing that eleventh graders, having taken more science classes, will be better equipped to pass the exam. Currently, the science test is used only for data gathering, but beginning in the 2007-08 school year, the scores will count toward determining State sanctions for low-performing schools and teacher bonuses.

Education Daily reports that the State of Florida has approved the applications of all 67 local school districts to provide tutoring to students in schools that failed to make adequate yearly progress (AYP) under the No Child Left Behind Act. However, 65 of the districts, having failed to make AYP themselves, are ineligible to provide such tutoring and must use district (local or Federal) funds to hire for-profit companies or community groups to provide tutorial services. Some schools are circumventing the restriction by establishing alliances of schools that met AYP to provide tutoring.

As reported in Education Daily, the Miami-Dade County school district will award 20 percent bonuses in an effort to attract and retain experienced teachers in the districts low-performing schools. Focusing on the County's 39 poorest-performing schools, the bonuses will carry with them requirements for about a 20 percent increase in work time, including one more hour per day, five more days per semester, and 56 hours spent after school on professional development.

On November 12, a Florida Appeals Court struck down the State's five-year-old Opportunity Scholarships, a voucher program that provides vouchers of up to \$3,900 for nearly 700 students in failing public schools. As reported in Education Week, the Court held the program unconstitutional because it used taxpayer money to pay student tuition at religious schools. A final Court decision could have a significant impact on Florida's McKay Scholarships, a much larger program that provides vouchers to nearly 12,000 special education students.

## Hawaii Update - November 2004

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Only seven of Hawaii's 60 high schools made adequate yearly progress (AYP) last school year under the No Child Left Behind Act. This 12 percent figure is far lower than the 52 percent of all State schools that made AYP. Overall, 30 of the 53 high schools that missed AYP actually met all reading and math proficiency standards, but failed to meet attendance or subpopulation targets. The following high schools failed to make AYP:

ʻAiea	Kihei Charter
Anuenue	Konawaena
Baldwin	Kula Aupuni Niʻihau A Kahelelani Aloha
Campbell	
Castle	Lahainaluna
	Lānaʻi
Farrington	Laupāhoehoe
Hakipuʻu Learning Center	Leilehua
Hālau Lokahi	Maui
Hāna High	
Hilo	McKinley
	Mililani
Honokaʻa	Moanalua
Kahuku	Molokaʻi
Kailua	Myron Thompson Academy
Kaimuki	
Kalāheo	Nānākuli
	Niʻihau
Kalani	Olomana
Kanu O Ka ʻAina	Pāhoa
Kanuikapono	Pearl City
Kapaʻa	
Kapolei	Roosevelt
	Waiakea
Kaʻū	Waialua
Kauaʻi	Waiʻanae
Ke Ana Laʻahana	Waimea
Ke Kula Niʻihau Kekaha	
Keaʻau	Waipahu
	Waters of Life
Kealakehe	
Kekaulike	

## Illinois Update - November 2004

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Beginning in the 2005-06 school year, the Illinois Textbook Loan Program (ITLP) will provide schools in Illinois with equal access to science textbooks and hands-on, inquiry-based science curriculum materials. Under the previous law, local school districts were responsible for the costs of providing these materials.

As reported in Education Daily, Chicago Public Schools will provide tutoring services to more than 63,000 students this year, far more than the 9,000 who received such services last year. Still, this number is less than a third of the 201,000 students who are eligible for tutoring under the No Child Left Behind Act. City officials say the number of students served was limited by the \$45 million in Federal funding available for the purpose. Tutoring will take place in 343 schools across the City, with 58 percent of the students being tutoring in their own schools. The remainder will go to one of the 20 private tutoring companies approved by the district.

In July, Illinois awarded FY 2005 21<sup>st</sup> Century Community Learning Center grants to 45 out of the 59 applicants in the State. Grantees for these afterschool programs include 130 schools in 35 school districts throughout the State. The five-year grants are fully funded for the first three years but will have funds reduced by 10 percent in Year 4 and by 25 percent in Year 5. For a list of grant recipients (not including Chicago) go to:

[www.isbe.net/21cclc/pdf/21st\\_century\\_recipients.pdf](http://www.isbe.net/21cclc/pdf/21st_century_recipients.pdf). For Chicago grantees, go to:  
[www.isbe.net/21cclc/pdf/21st\\_century\\_cps\\_recipients.pdf](http://www.isbe.net/21cclc/pdf/21st_century_cps_recipients.pdf).

As reported in Education Week, Illinois has reduced its backlog of applications for teacher certifications from 7,500 to 5,500. Most of the reduction can be attributed to the elimination of 1,200 application backlog in Chicago.

## **Indiana Update - November 2004**

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During the SEDTA National Leadership Institute, SEA officials indicated that state funding for technology still remains a major issue as such funds last year were zero, down from \$40-\$50 million annually 4-5 years ago. The State will be making significant changes to the State alternative test for students with certain disabilities. As the SEA did more than five years ago when the State's first technology-based alternative assessment was implemented, significant resources are going to be provided for training special education teachers and other individuals who administer the alternative test to ensure that the results are not contaminated through "modifications" or "accommodations" which should not be provided.

## Iowa Update - November 2004

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Despite overall gains in student performance, the number of schools identified as in need of improvement increased from 11 to 66 in 2004. As reported in Education Daily, nine Iowa districts were also designated as needing improvement.

Iowa Governor Tom Vilsack is pushing hard for initiatives intended to expand the State's early childhood education programs and to make high school course requirements more rigorous. According to Education Week, the Governor's recommendations are in reaction to the stagnant (or, in some cases, decreasing) test scores and achievement gaps between the State's white and minority students.

As reported in the Des Moines Register, Iowa's "watch list" includes schools and school districts that fail to meet Federal and State standards. The list includes 86 schools and 13 districts, down from 145 schools and 50 districts in January 2004. Most of the schools on the "watch list" are middle schools. Des Moines has 13 schools on the current list, down from 19 in January.

## **Kentucky Update - November 2004**

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According to Education Daily, about 75 percent of the schools in Kentucky made adequate yearly progress (AYP) last year under the No Child Left Behind Act. The revised data changed the status of 78 schools: 40 originally rated as meeting AYP were downgraded and 38 schools classified as failing to make AYP were upgraded. A total of 15 schools were identified as needing improvement for the first time and one was required to undertake corrective action. The final data also indicated that 37 percent of Kentucky's school districts failed to make AYP. A total of 888 out of 1,176 schools met all NCLB goals. Of the Title I schools that failed to make AYP, 113 are in Tier I (2 years not making AYP), 12 schools are in Tier 2 (3 years not making AYP), and seven are in Tier 3 (4 years not making AYP). Of Kentucky's 176 school districts, 63 percent met all AYP requirements.

Phi Delta Kappan reports that the Kentucky legislature has passed a bill calling for a study of the State's assessment system -- the Commonwealth Accountability Testing System (CATS). The study was required to address: (1) the appropriateness of CATS; (2) its validity as an indicator of individual student performance; (3) CATS alignment with the Federal No Child Left Behind Act; (4) the validity of the writing portfolio that is to be included in CATS; (5) the value of CATS to inform instruction; (6) the effects of CATS on staff; and (7) the actual per-pupil cost of CATS.

The Kentucky Board of Education has approved a new GED program designed for struggling students still in high school. Currently, GED students must be 17 years old and out of school for a year. The new program would allow 16-year-olds still in school to take the GED exam. It is hoped that this plan will help students who are likely to drop out of high school.

## **Louisiana Update - November 2004**

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SEA officials indicated that based on preliminary analysis of most recent test scores, a number of schools in selected parishes will be required to provide parent choice and supplemental education services this school year. The same officials indicated that one of the first districts that has been approved to provide supplemental education services is Orleans Parish. When the Parish is identified for improvement next year, the State will have to decide whether or not Orleans Parish can continue to provide SES services.

As reported in Phi Delta Kappan, a bill in the Louisiana legislature (H.B. 956) authorizes the establishment of a pilot early intervention program to address the causes of behavioral problems and their effects on school performance. This would allow local jurisdictions (school boards, law enforcement agencies, courts, and service providers to establish interagency agreements to exchange student records, provide family services, identify participants, monitor treatment plans, and provide services relating to child abuse and neglect.

## Maryland Update - November 2004

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Beginning in the 2007-08 school year, science testing will become a part of the requirements under the No Child Left Behind Act. As reported in the Baltimore Sun, Maryland school districts are gearing up for the upcoming science emphasis. Baltimore City is in the process of ensuring its curriculum is aligned with State science standards and posted required scientific concepts online. Baltimore County is spending \$4 million this year on new science programs with an emphasis on teacher training and adding as many as 39 new science-math resource teachers. Baltimore City, Baltimore County, and Howard County are incorporating science concepts into their reading and mathematics curricula. Anne Arundel County is buying new science instructional materials including textbooks and Carroll County is putting a large portion of its science curriculum online.

According to Education Week, little has been accomplished toward resolving the long-standing legal battle between the State of Maryland and Baltimore City Public Schools (joined by the American Civil Liberties Union). In August, a Circuit Court ruled that a plan for the district to pay down its debt “interfered with progress toward providing a constitutionally adequate education for Baltimore schoolchildren.” The Court’s ruling ordered the State, the district, and the City of Baltimore to work up a plan that would infuse as much as \$45 million into the struggling school system. As there is no such plan.

In early October, Governor Robert Ehrlich created a task force, chaired by the Lieutenant Governor, to improve the quality of education in Maryland. As reported in Education Week, the task force’s four committees will address: (1) principal and teacher accountability; (2) linking schools and communities; (3) best education practices; and (4) early childhood education.

As reported in The Washington Post, a recent report by the Maryland Public Policy Institute suggested that, in order to reduce Maryland’s chronic teacher shortage, the State should make it easier for mid-career professionals in other fields to become certified teachers. The report says that the current strict certification requirements dissuade many from seeking certification and



recommends the use of a single test for teaching ability as a streamlined means of alternative certification.

As reported in the Baltimore Sun, the State of Maryland is trying to make it easier for experienced professionals from other fields to become teachers. For 12 years, the State has had a program to attract such professionals, but in that time only 500 new teachers have been recruited. State Superintendent Nancy Grasnick has ordered a review of the requirements to teach in Maryland and ways to overcome the obstacles to such recruitment, including opposition from unions and teacher colleges and the requirement that new teachers make individual agreements with local school districts.

More than half of the school districts in Maryland offer State-approved online courses. About 200 students are currently enrolled online with most taking Advanced Placement courses that could not generate enough students in individual districts. Currently, more than 20 different classes are available through the Maryland Virtual Learning Opportunities program, including AP courses in calculus, computer science, statistics, U.S. Government, and art history, as well as non-AP courses in health, calculus, and accounting. In the next year, the State expects to add online classes in algebra, biology, government, and English. These subjects are tested on the Maryland High School Assessments which, as of next year, will be required for high school graduation.

The Baltimore Sun reports that, although Maryland has the second highest percentage of college-educated adults in the U.S., 16 percent of the adult population do not have a high school diploma. The study, supported by the Casey, Ford, and Rockefeller Foundations, attributes the discrepancy to high dropout rates and funding cuts for education. Covering 15 states, the study is entitled “Working Hard, Falling Short: America’s Working Families and the Pursuit of Economic Security.”

## Michigan Update - November 2004

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As reported in Education Daily, the percentage of 2004 high school graduates who met standards on the Michigan Education Assessment Program (MEAP) was higher than the previous year in all tested subjects. The percent who met or exceeded the State's reading standards increased to 76 percent from 67 percent in 2003. Less significant gains in MEAP scores were also made in reading, mathematics, writing, and social studies. There is no State requirement that high school seniors must pass the MEAP in order to graduate.

According to the Detroit News, charter high schools in Michigan are showing greater progress toward meeting State academic standards than are other public high schools. Last year, 63 percent of the twelfth graders in Michigan charter schools passed the Michigan Educational Assessment Program reading exam, compared to 52 percent the prior year. These results still lag behind the State average -- 76 percent of all public school seniors passed the reading MEAP test, up from 67 percent in 2003.

Despite district efforts to improve student performance, more high schools failed to meet Federal achievement standard in 2004 than the year before. As reported in the Detroit News, in 2003, 65 percent of Michigan's high schools made adequate yearly progress under the No Child Left Behind Act; last school year only 53 percent did so. All 41 high schools in the Detroit school district failed to meet Federal standards. Of the high schools that failed to make AYP, 359 missed academic goals and 89 missed the 80 percent graduation standard. State education officials attribute the lower school performance, in part, to the inclusion of 46 more high schools (including alternative schools and special education centers) as the State approved a formula using statistical margin of error to grade small schools.

The Detroit News reports that Michigan is expected to replace the eleventh-grade Michigan Educational Assessment Program (MEAP) with a new test that will more closely conform with the ACT or SAT college entrance exams. The new exam would contain curriculum-based achievement components -- like the ACT and SAT -- as well as a social studies section and a test of job readiness skills.

As reported in Education Week, Michigan is considering replacing the six-year-old Michigan Educational Assessment Program (MEAP) with a new test that would measure college readiness. Part of a five-bill package approved by the State Senate, the new test (to be implemented in the Spring of 2007) would be called the Michigan Merit Examination and would include the ACT college entrance exam and ACT WorkKeys, a test of workplace skills.

## Minnesota Update - November 2004

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As reported in the Star Tribune, Governor Tim Pawlenty has proposed a new education plan that includes higher salaries for teachers that work in low-performing schools as well as more simplified career paths for other professionals who wish to become teachers. The plan also gives schools the flexibility to set their own budgets and select their own teachers. The Governor has been a strong supporter of site-based school management. Accompanying the staffing reforms is the expectation of more State funding for the schools.

As reported in the Minneapolis Star-Tribune, many suburban school districts in the Twin Cities area saw budget referenda approved. Voters in Eden Prairie, for example, approved \$20 million for deferred maintenance, \$46 million (over ten years) for technology improvements, and \$500,000 per year for the operating fund. St. Louis Park's successful referendum calls for \$10 million for maintenance and operating expenses. Elk River, on the other hand, saw its request for \$87 million for a new elementary school, additions to other schools, and operating funds rejected by its voters.

Despite high rankings on most measures of educational success, Minnesota ranks near the bottom of the nation when it comes to the number of counselors per student. With an average of 806 students per counselor, the States ratio is more than three times the nationally recommended average of 250:1. Minnesota educators attribute the low ranking to the fact that Minnesota, unlike most states, does not require counselors in elementary schools.

## Missouri Update - November 2004

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Education Daily reports that a Missouri State auditor's report is strongly critical of the SEA's monitoring of the State's charter schools. A total of 25 charter schools in Missouri receive \$73 million in Federal and State funding. Fully half of the State's charter schools failed to meet teacher certification requirements in 2003 and most of the charter schools maintained funds in uninsured bank accounts.

Missouri has begun a pilot "e-learning" program for students who are not performing well in traditional high schools. A total of 50 students in Madison and St. Clair counties will be allowed to take online classes at any time of day. Funded at about \$180,000 a piece, the two counties will each target 25 high-risk enrolled students or dropouts under 21 years of age. These students will be supervised by a specialist who will provide regular guidance on how they are to meet graduation requirements and on their post-graduation plans.

As reported in Education Daily, 108 Missouri schools have been identified as needing improvement for having failed to make adequate yearly progress (AYP) under the No Child Left Behind Act for two consecutive years. This represents a considerable improvement over the 250 schools so identified on August's preliminary list. Overall, 77 percent of the 2,184 schools in the State made AYP in 2004 including 86 percent of Title I schools. Thirteen schools are identified for improvement for the third consecutive year and eight schools are in "corrective action" for failing to make AYP for four consecutive years.

## Montana Update - November 2004

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In mid-April, a District Court judge ruled that Montana is in violation of its own constitution by not providing adequate funding for its public schools. The Helena Independent Record reports that the judge has postponed the date at which his ruling becomes effective in order to give the State legislature time to develop a new way to finance the schools. Later, a State Superior Court upheld a lower court ruling that Montana has failed to fund its schools adequately and had failed to educate Native American students under the State's Indian Education for All Act. The Court's order calls for the Montana legislature to establish a new education funding system by October 1, 2005, and to come up with an appropriate definition of "quality education."

## Nevada Update - November 2004

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According to the Center on Education Policy, Nevada requires local school districts to provide remedial services for students who fail the State's High School Proficiency Examination (HSPE), but students are not required to attend such programs. The State has established no professional development programs or training materials to help teachers and students prepare for the high school exit exam. The State has developed student study guides for the exam.

A recent report by the Nevada Department of Education highlighted a sharp increase in the number of testing irregularities in the State's public schools. According to Education Week, a total of 121 such irregularities were cited during the 2003-04 school year. Half of these were the result of improper test administration. As many as 24 incidents were identified as students cheating, mostly at the high school level. Many of these were associated with unauthorized use of electronic devices including cell phones that store notes, take pictures, and transmit messages and wristwatches with built-in calculators.

The November election ballot contained two initiatives with enormous implications for Nevada schools. The first measure is a constitutional amendment that would require the legislature to fund K-12 education before any other state agencies. The second initiative would require the State to increase Nevada's per-pupil spending to meet the national average by 2012. The ballot initiative requiring the State legislature to approve the public school budget before other appropriations was approved by a 57 percent to 43 percent margin. The initiative lost in every county except the populous Clark County (Las Vegas). The second initiative, championed by the State teachers union, to raise financial support for public education to the National average by 2012 was narrowly defeated, 51 percent to 49 percent. Again, Clark County was the only jurisdiction to support the measure.

The Las Vegas Sun reports that 37 percent of the schools in Nevada (210 out of 567) failed to make adequate yearly progress (AYP) last year under the No Child Left Behind Act. This was an improvement over the 42 percent who failed to make AYP the prior year. Of 210 schools that missed AYP, 122 are "in need of improvement" for failing to make AYP for two consecutive

years; parents can request transfers from these schools for their children. At the school district level, nine of Nevada's 17 districts (including Clark County, the State's largest) have been identified for improvement.

For the next biennium, the SEA is likely to request additional State funds over and above the \$9 million biennium budget for hardware, software, staff development, and related technology purposes. Technology will likely have to be relied upon in large districts in the State which have the preponderance of schools that have been identified for improvement and which have to earmark ten percent of their Title I budget for staff development or reserve 20 percent for supplemental education services. Several local teacher groups want to provide supplemental services. Another potential major funding source for technology purchases in the State will be Federal earmarks now that Senator Reed has been selected as the Minority Senate leader taking the place of Senator Tom Daschle who was defeated in November. Over the last several years, Senator Reed, an ardent supporter of technology, has been instrumental in getting several technology earmarks for districts in the State.



## **New Jersey Update - November 2004**

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As reported in Education Daily, last school year, 74 percent of the schools in New Jersey made adequate yearly progress (AYP) under the No Child Left Behind Act. This represents an improvement of 228 schools (up to 1777) that met AYP over the prior school year. Some of this improvement can be attributed to changes in the minimum sizes of subgroups required for inclusion in the State's accountability system.

Education Daily reports that, according to final data, 597 of New Jersey's schools failed to make adequate yearly progress (AYP) last school year under the No Child Left Behind Act, an improvement over the 621 schools initially reported. A total of 151 schools had their status changed from preliminary reports, most because of programming errors in the calculation of math AYP. Final data indicated that: 353 schools have failed to make AYP for two consecutive years and are identified for improvement; 64 schools failed to make AYP for three years; and 103 schools did not make AYP for four consecutive years placing them in "corrective action."

## New York Update - November 2004

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As reported in The Ithaca Journal, the New York Board of Regents voted to give middle schools greater flexibility to deviate from State education standards. Under the pending proposal, schools could shift resources from courses in “exploratory” subjects such as art, music, and technology, into what are called Academic Intervention Services to help low-performing students, including more emphasis on English, mathematics, and science. The proposal has raised concerns in a number of quarters including the New York State Technology Education Association who has expressed concern that enrichment courses could be eliminated entirely.

As reported in The New York Times, current data show that about 42 percent of New York City’s eighth-graders are at or above grade level, an increase of 20 percentage points since 2001. Statewide, 57 percent of eighth-grade students are at or above grade level. In the City, the number of eighth-graders meeting State standards increased by nearly seven percent, while the number of fourth-graders meeting the standards rose one percentage point.

## North Carolina Update - November 2004

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More than 81 percent of North Carolina students passed State end-of-grade tests last school year. State education officials cite the results as evidence that students are learning better than in the past. A number of critics, however, argue that passing standards are set far too low. Although passing requirements vary by grade level, generally students need answer only 40-50 percent of the reading questions and 30-40 percent of the mathematics questions to pass.

Education Week reports that North Carolina's education department has developed a website, called NCKidScience.com, which helps the States third, fourth, and fifth grade teachers prepare their students for end-of-grade science tests. Based on North Carolina's science standards, the website includes lesson plans and other input from teachers across the State.

As a result of North Carolina use of confidence intervals and changes in the subgroup numbers of students, the number of districts and schools that have been identified for improvement were significantly lower than originally anticipated. For this year 44 districts have been identified for improvement for the first time. These districts will have to develop a school improvement plan in which they also discuss how they plan to use the 10-15 set aside for staff development. Only one district has applied and been approved to provide SES services. Nine schools and 14 charter schools will be required to provide SES. 128 regular schools and 12 charter schools have been identified for improvement for the first year and will have to set aside earmarks for staff development. While the state has a detailed process for approving SES providers, it has not implemented any type of screening process thus far to develop a list of approved providers of staff development which in most cases is provided by the district. The new Title I director is Mr. Bynum, 919/807-3957.

This Fall, a total of ten regular public schools and ten charter schools will be providing free tutoring services to their students because the schools failed to make adequate yearly progress last year under the No Child Left Behind Act. State officials expect the number of schools required to provide tutoring to increase next year.

## Ohio Update - November 2004

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New eligibility restrictions and a laborious application process have resulted in significant decreases in enrollments in Ohio's Head Start programs. Currently, 38,000 Ohio preschoolers are served by the Federal Head Start program and another 8,500 slots have been funded in the State's Head Start Plus programs (at a cost of \$96 million). Statewide, fewer than 3,500 of the 8,500 Head Start Plus slots have been filled.

On Election Day, voters in Cincinnati supported continuation of a five-year property-tax plan that generates \$65.2 million per year for district operating expenses -- close to 15 percent of the total district budget. Cleveland voters, on the other hand, defeated a property tax increase that would have raised \$68 million for the schools. These additional funds would have been used to offset partially the \$100 million cut from the district's budget in June. It is expected that there will be school closings and midyear staff layoffs. School officials are contemplating when to put forth another request for a tax increase for education.

## **Pennsylvania Update - November 2004**

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Gains in school accountability cited by Pennsylvania school officials are largely the result of lower standards, not improved performance, according to a Philadelphia Inquirer analysis. In the past year, changes have been made in State requirements including lower test scores, lower attendance, lower graduation rates, and exclusion of some limited-English-proficient students. Using the new standards, 81 percent of Pennsylvania's schools made adequate yearly progress (AYP) in 2004. If the same standards as the prior year had been in effect, only 61 percent of the schools would have made AYP, lower than the 63 percent mark for the prior year.

The Pittsburgh Post-Gazette reports that public schools in Pennsylvania budgeted more than \$305 million last year for educational technology. However, the State also reports that technology opportunities are uneven across the State. Nearly 70 percent of the State's school districts require their students to meet technology proficiency standards and nearly 80 percent assess students on their ability to use technology. More than half of the districts spend at least 25 percent of their professional development effort on technology-related matters. On the other hand, about 12 percent of the schools do not have high-speed Internet access (although this is an improvement over 17 percent the previous year). Although about half of the school districts offer online courses, fewer than 9,000 students Statewide participated in them -- about one half of one percent of Pennsylvania's student enrollment.

The Software & Information Industry Association reports that the 2004-05 Pennsylvania State Budget includes \$200 million (\$25 million more than the prior year) to fund Pennsylvania Accountability Grants. The same amount is proposed for the 2005-06 school year. These grants are intended to be used by local school districts to "attain and improve academic performance targets." Of the total fund, \$150 million will be allocated to districts based upon the percentage of students scoring below proficient on the 2002-03 Pennsylvania System of School Assessment (PSSA). The other \$50 million will be allocated based on the percentage of students who scored at or above proficient on the 2002-03 PSSA.

The 2004-05 State budget also provides \$38 million (\$13 million more than the prior year) for the Educational Assistance Program. These funds are targeted on school districts that have at least one school that failed to make adequate yearly progress in reading or mathematics in 2003-04.

Pennsylvania has mandated that all teachers must pass to Praxis subject matter test in order to become certified. New State regulations specify requirements for seventh and eighth grade teachers with elementary or general certifications who teach language arts, math, science, or social studies and establish a “bridge certificate” that teachers who fail the test can obtain through a combination of professional development, college courses, written articles, and tutoring low-achieving students. Statewide about a quarter of the teachers failed the Praxis (more than half of Philadelphia teachers failed). Also affected by the new regulations will be some special education and ESL teachers. Nearly 90 percent of Pennsylvania’s teachers meet the “highly qualified” standard of the No Child Left Behind Act, but most teachers who do not work in high-poverty schools.

On November 9, Francis Barnes was confirmed as Pennsylvania’s Secretary of Education. Mr. Barnes is the first African-American to hold the post.

## **Rhode Island Update - November 2004**

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As reported in Education Week, the Rhode Island legislature approved a FY 2005 K-12 education budget of \$799 million, 2.8 percent more than the prior year. The budget includes \$647 million in State aid to school districts and \$2.1 million to provide technical assistance for under-performing schools.

According to The Providence Journal, by the Fall of 2006, there will be a common curriculum throughout Rhode Island for grades 3-8. The new curriculum will specify student objectives, will provide examples of high-quality student work, will help teachers teach to the State standards, and will train teachers to evaluate student performance. Teachers will still have the flexibility to choose from a range of lesson plans and textbooks.

## Texas Update - November 2004

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The Texas Education Agency has eased the requirements which allow local school districts to request waivers from the State's basic class size mandates. Variations from the maximum class size ratio of 22 students per teacher -- established nearly 20 years ago -- will no longer require public notice. As reported in Education Week, the change in procedures was received negatively by teacher and parent groups.

As reported in The Dallas Morning News, student passing rates in Texas' charter schools is well below the rate for all public school students. At the State's 235 charter school campuses, 42 percent of the students passed the Texas Assessment of Knowledge and Skills (TAKS). This compares unfavorably with the 67 percent pass rate for low-income students (typically the kind of students in charter schools). State funding for independent charter schools' operating expenses is \$6,300, the average for regular public schools. There is a limit of 215 charter schools in the State (some have multiple campuses), but there is expected to be pressure to raise the cap during the 2005 legislative session. The charter schools will also be seeking funds for facilities which they currently do not receive. During the last performance review in September, of the 129 charter schools rated, 29 received the top two ratings, "exemplary" or "recognized." On the other hand, 28 schools received "unacceptable" ratings.

Wielding its influence with textbook publishers, Texas has approved two new health textbooks after the publishers agreed to change wordings so as to depict marriage as a union of a man and a woman. Holt, Rinehart & Winston and Glencoe/McGraw-Hill altered phrases in their texts, for example, to "husband and wife" rather than "married partners." It is not clear whether the changes will be made in textbooks sold outside Texas.

This summer, the Texas Education Agency announced the 2004 Showcase of Promising Practices in special education which will highlight special education practices in four school districts: Elkhart, Hartley, Katy, and Gladwater. For more information, go to: [www.tea.state.tx.us/press/2004showcase.html](http://www.tea.state.tx.us/press/2004showcase.html).



A bill in the Texas House (HB 1144) sets aside funds for the Texas Math Initiative which is designed to help educators in such areas as grading math homework and developing research-based professional development materials ([www.tea.state.tx.us/math/](http://www.tea.state.tx.us/math/).) The State has also developed the Texas Mathematics Diagnostic Assessment System (TMDS), an online assessment program for grades 4-8 (other grades are being added). Released in late 2002, TMDS has an updated computer-adaptive testing component as well as an item data bank that teachers can use to create homework, quizzes, and tests.

Education Week reports that the dropout rate for Texas high schools in the 2003-04 school year was as high as 36 percent, with minority students dropping out at significantly higher rates. The study presenting this data, conducted by Intercultural Development Research Association, is entitled "Texas Public School Attrition Study 2003-04" ([www.idra.org](http://www.idra.org)).

On December 9, the Houston Independent School District will swear in Abelardo Saavedra as district superintendent. Mr. Saavedra, who has been serving as interim superintendent, will be the first Hispanic superintendent in Houston.

## Utah Update - November 2004

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According to the Deseret Morning News, more than 80 percent of the schools in Utah made adequate yearly progress (AYP) last school year under the No Child Left Behind Act, an improvement over the 72 percent the prior year. On the other hand, there are 16 schools in “school improvement” status -- meaning they have failed to make AYP for two consecutive years -- versus only six schools the prior year.

The winner of Utah’s gubernatorial election was Republican, Jon Huntsman, Jr. whose campaign focused on education issues. Mr. Huntsman endorsed a plan that would provide vouchers for some special education students.

## Vermont Update - November 2004

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As reported in the Burlington Free Press, Vermont has not had to offer a single student transfer under the school choice provision of the No Child Left Behind Act. Only two schools in the State have failed to make adequate yearly progress for two consecutive years and neither of those has an alternative school within the district to which students could transfer.

The Rutland Herald reports that Vermont has seen improvement overall in student test scores but that there are still significant gaps based on gender and income level. Last school year, 81 percent of the State's tested fourth-graders met or exceeded reading standards, up slightly from the year before; only 69 percent of students receiving free or reduced price meals, met the standards. In mathematics, 52 percent of fourth-grade students (compared with 41 percent the prior year) met standards. However, only 36 percent of students receiving subsidized meals met standards and only 48 percent of boys (vs. 54 percent of girls) met the standards. Among eighth-grade students, 68 percent (vs. 62 percent the prior year) met or exceeded reading comprehension standards and 73 percent (vs. 67 the prior year) met math standards.

As reported in Education Daily, 52 percent of Vermont's fourth-grade students met mathematics problem-solving standards last school year, an improvement over the 40 percent for the prior year. Likewise, 75 percent met math skills standards, up from 69 percent the year before. However, results indicated that significant achievement gaps still exist between students of different genders and family income levels.

## Virginia Update - November 2004

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According to data released by the Virginia Department of Education, high school graduation rates have held steady over the last five years. This is the first year in which students were required to pass state standardized tests to receive a high school diploma which 94.3 percent received. Governor Warner attributed the high passage rate to regional academies that were held during the last year to help students in reading, writing, and algebra and to the newly-implemented online tutoring program to help students take and retake the State's reading test.

According to Phi Delta Kappan, a Virginia bill (S.B. 438) requires local school boards to notify parents of students who fail to graduate, who have failed to earn the credits needed for graduation, who are limited-English-proficient, or who have received special education services that they are entitled to receive a free public education through age 21.

In early November, the Virginia legislature rejected a bill that would have waived requirements under the No Child Left Behind Act. During the earlier 2004 legislative session, the Republican controlled House of Delegate passed a resolution that was sharply critical of NCLB. However, as reported in The Washington Post, opponents of the waiver bill, fearing the loss of Federal funding, indicated that the State should find ways to work within NCLB rather and reject it and risk losing significant portions of the \$280 million Virginia gets each year in NCLB funding.

During the National Leadership Institute of the State Education Technology Directors Association meeting, it was learned that the Virginia SEA is planning to issue an RFP in the near future related to its online assessments and online tutoring programs, particularly for students who are failing portions of their SOL exit exams. The State appears to be also interested in using technology to reduce the cost of one to one teacher/adult student administration of alternative tests or a provision of accommodations.

## Washington Update - November 2004

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Education Daily reports that eleven Washington State school districts have sued the State claiming the State has not fully funded the required special education programs. According to the Court action, the districts argue that, in the 2002-03 school year, special education programs in the 11 districts were under funded by \$101 million. They claim these shortfalls had to be made up for by local taxes which violates the State constitution. Traditionally, the State legislature makes its special education appropriation according to a flat, per-student formula that ignores actual costs.

As reported in the Seattle Post-Intelligencer, a State education commission has recommended lowering the graduation requirements for the Class of 2008. Current projections suggest that only about 39 percent of the students will pass the test. Depending on the degree to which the requirements are relaxed, the student success rate is likely to rise to 54 percent or 59 percent. A Statewide business group, called the Partnership for Learning, expressed disapproval of the decision.

According to Education Daily, the Washington Assessment of Student Learning (WASL) has a very strong writing component, but its mathematics portion is the least rigorous of the six states studies by Achieve, Inc. The WASL math exam puts more emphasis on numbers and data and less on algebra and geometry than do other state tests. The study was commissioned by Washington to improve the WASL which is to become the State's high school graduation exam.

The Washington Education Department has produced a set of voluntary guidelines designed to prepare preschool-aged children for kindergarten and higher grades. The preliminary guidelines recommend that students, when they enter kindergarten, should be able to: (a) count beyond 20; (b) identify three-dimensional shapes; (c) follow written text on a page while reading or being read to; and (d) listen to stories for more than 15 minutes. They also suggest ways parents can help their children at various developmental stages. These guidelines are a part of the State's comprehensive approach to preparing and assessing students.

As reported in Education Week, on Election Day, Terry Bergeson was re-elected to a third term as Washington's State Superintendent of Schools. Ms. Bergeson, who was opposed by the State teachers' union, plans to continue her support of the high school graduation test that Washington students will have to pass starting in 2008 and will push for acceptable alternative assessments for special education students.

As reported in The News Tribune, on Election Day, Washington voters rejected two measures that would have significantly affected the State's public schools. Initiative 884 would have raised the State's sales tax from 6.5 percent to 7.5 percent, raising \$1 billion for K-12 and higher education. Referendum 55 would have created a charter school experiment in the State. It would have established up to 45 charter schools over the next six years and would have allowed conversions of existing public schools into charters. Similar charter school measures failed in 1996 and 2000.

The Seattle school district has established a five-year plan to eliminate achievement gaps in reading and mathematics by the 2009-10 school year. Under the plan, the district will spend \$20 million next year on new programs, as well as \$6.4 million for new technology and vocational programs. As reported in The Seattle Times, the district is facing a \$7 million budget deficit next year and will need outside sources of revenue to fund its plan. Under the plan, Seattle would spend: \$3 million to develop a rigorous college and technical program at every high school; \$575,000 to create partnerships with bilingual communities; \$1 million for intervention plans in struggling schools; and \$250,000 to raise awareness of institutional racism. In addition, \$3.75 million will go toward literacy and math coaches, \$2.3 million to train teachers in instructional strategies; \$2.46 million for staff recruitment and preparation; and \$660,000 to improve working conditions and staff retention.

## **West Virginia Update - November 2004**

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Education Daily reports that 72 percent (516) of West Virginia's 720 public schools made adequate yearly progress (AYP) under the No Child Left Behind Act last school year. That represents an improvement of 82 schools from the year before. Most of the schools that failed to make AYP (more than two-thirds of them) did so because of poor performance by students with disabilities. Only two of the State's 55 county school districts met NCLB standards. Most of the schools do not have enough students in specific subgroups (e.g., special education, limited English proficient) to be counted. However, when aggregated at the district level, these school subgroups were large enough to be measured and have caused nearly all districts to miss AYP. The State has sought permission from USED to administer alternative tests to more special education students.

## Wyoming Update - November 2004

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As reported in Education Week, Wyoming has agreed to a four-year contract with Harcourt Assessment, Inc. to develop tests in reading, writing, and mathematics for grades 3 through 8 and 11, as well as in science for grades 4, 8, and 11. The new assessments are intended to provide data to measure accountability while, at the same time, providing information that will improve classroom instruction. The test development will include end-of-year and semester exams, as well as interim online and paper-and-pencil tests, aligned to State standards, that can provide almost immediate feedback to teachers and students.